



**CITY OF HEDWIG VILLAGE, TEXAS
REGULAR MONTHLY CITY COUNCIL MEETING
APRIL 16, 2020
6:30 P.M. - 955 PINEY POINT ROAD**

MINUTES

In accordance with Governor Abbott's Executive Order dated March 16, 2020 and continued by Executive Orders dated April 12, 2020 and May 12, 2020 relating to the COVID-19 pandemic and the need to minimize face-to-face contact, the City of Hedwig Village held the April 16, 2020 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 6:32 p.m.

Present: Mayor Brian T. Muecke

Councilmember Harry J. Folloder (via phone)	Kelly Johnson, City Admin./Secr.-
Councilmember Dane Johnson (via phone)	Treas. (via phone)
Councilmember Susan Mathews	Alan Petrov, City Attorney (via phone)
Councilmember Shirley Rouse	David Gott, Police Chief (via phone)
Councilmember Matt Woodruff	Kevin Taylor, Building Official (via phone)
	Evan DuVall, Asst. Building Official (via phone)
	Lisa Modisette, Assistant City Secretary (via phone)

Absent: None

2. CITIZEN/VISITOR COMMENTS

Tom Roth, resident on Pecanwood, thanked City Council and City staff.

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

February 20, 2020 Regular Meeting Minutes

B. Approval of General Fund Bills

General Fund Bills

Voided Checks – none

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

Accutek - \$3,640.00

AG/CM, Inc. - \$7,515.00

BBG Consulting, Inc. - \$35,129.05
Johnson Petrov - \$3,347.44
Mesa Mechanical - \$2,647.92
Spring Branch I.S.D. - \$8,660.00

Helman Ford - \$27,145.00
LJA Engineering, Inc. - \$22,646.33
Municipal Code Corp. - \$4,805.31
Texas Pride Disposal - \$14,260.65

Motion was made by Councilmember Rouse and seconded by Councilmember Woodruff to approve the Consent Agenda as presented. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

4. REPORTS

A. Financial Report – March 2020 (before audit) – Kelly Johnson

Kelly Johnson discussed the following;

- Sales tax for April 2020 is approximately 16% higher year to date over the same time period in 2019.
- The City is 25% through the 2020 Budget year.
- The City is fully collateralized.
- The City has \$2.68M in restricted funds and \$3.31M in available funds.
- Revenues for 2020 are approximately 57% of budget and expenditures for 2020 are approximately 22% of budget.

B. Police Report – March 2020 Crime Report & Statistics – Chief David Gott

Chief Gott discussed the following:

- All employees have been reporting for their work shifts. No one has been sick. The department has plenty of face masks and gloves. There will be no approved time off for the time being. The officers are limiting the traffic stops to reduce public contact. The officers have been highly visible in the City. There have been a lower number of phone calls for service. The crime rate numbers are down as well.

Councilmember Rouse asked if the department has an increase in expenses due to COVID-19. She thanked the department for the vehicle presence in the Kroger parking lot.

Chief Gott stated there has been no increase in expenses due to COVID-19. The masks the department received were donations from various sources.

He stated an officer is present during the senior shopping hour at Kroger as a crime deterrent.

C. Fire Department – Councilmember Folloder, Alternate Fire Commissioner

Councilmember Harry Folloder discussed the following:

- The Fire Department Commissioners held a special meeting on April 9, 2020. The commissioners voted to rationalize the 2019 Budget with the audit, submit a request to the Cities to retain the ambulance reimbursement funds, and discussed the proposed 2021 Budget.

- The contract for the renovation should be approved at the next Commission meeting. The start date for the renovation will be negotiated. The Commissioners will authorize the signing of the contract. The department is currently on-budget with the project.
- The auditors have recommended, and the Commissioners approved, the inter-budgetary transfers for the 2019 Budget.

Councilmember Rouse asked if the fire department had any expenses related to the COVID-19 pandemic.

Councilmember Folloder stated the fire department does have expenses related to COVID-19 and the expenses have been approved by FEMA for reimbursement.

D. Beautification – Andrea Hermann, Member

No report.

E. Mayor – Monthly Report – Brian Muecke

Mayor Muecke discussed the following:

- The Mayor is participating continuously in conference calls relating to COVID-19 with county, state, and federal agencies.

F. Building Official – Kevin Taylor, Building Official

Kevin Taylor, Building Official, discussed the following:

- The white building – The third floor build-out for tenant office space is underway.
- Moody Project – Three restaurant space improvements are currently underway. A right-of-way permit has been issued to align the driveways and complete slight modifications to the manhole covers on Gaylord Drive.
- Insurance Services Office (ISO) rating – The ISO representative has all the necessary paperwork to provide an ISO rating for Hedwig Village.
- Memorial High School – A tree permit has been issued for the main campus. The City Forester has been overseeing the pruning, removal, and trimming of the trees along with the school district's arborist. A right-of-way permit is being expediated for the storm sewer tie-in's on Gaylord Drive. The track has been closed temporarily for the duration of the storm sewer tie-in construction.
- Tennis Courts – A right-of-way permits has been issued for the sanitary sewer tie-in on Piney Point Road. The tennis courts are mostly completed, and the field building is still under construction.
- Jobsite maintenance – inspections are ongoing.

Councilmember Johnson asked how long the approval process is for new home construction.

Kevin Taylor stated the approval process is approximately two weeks but could take as much as five days.

Councilmember Rouse asked for the purpose of an ISO rating.

Kevin Taylor stated the ISO rating is a grading score for the building department of the City. Insurance rates for property owners could be reduced if the City has a low ISO rating. The City currently has an ISO rating of 5. The new rating, when received, should be a 2 or possibly a 1.

Councilmember Woodruff asked about the school district's sanitary sewer work on Piney Point Road. He understood the construction would entail removing a section of Piney Point Road from expansion joint to expansion joint. That was not done as far as he could tell. He stated the replaced concrete does not appear to have a new expansion joint.

Kevin Taylor stated he would have an engineer look at the completed work on Piney Point Road to ensure it was completed correctly and if not, have it repaired.

Councilmember Mathews asked if the openings for the businesses at the Moody Project have been delayed.

Kevin Taylor stated he has not heard of any delays for the businesses opening. The construction work on the Moody Project does not appear to have slowed down.

G. Planning & Zoning Commission –Councilmember Susan Mathews, Council Liaison

No report.

H. City Administrator – Monthly Update – Kelly Johnson

Kelly Johnson discussed the following:

- City Staff has been working in two groups working alternate days. City Hall has remained open. There has not been a decrease for court and/or permit department. City staff is encouraging individuals to handle City business through email or a phone call. City staff will be following the Centers of Disease Control (CDC) guidelines and will maintain a six foot distance between staff.
- Court sessions have been cancelled through the end of April 2020. The City has been in contact with the presiding judge and the Texas Municipal Court Education Center (TMCEC) on when to reopen the court. The City may reschedule all May court sessions.
- Terry Vick starting spraying for mosquito last week. He will spray twice a week.
- The City audit began last week. All requests for documents have been handled through email.
- Two Board of Adjustments hearing have been cancelled and will be rescheduled.

Councilmember Rouse asked how the court cancellations will effect the budget. She asked about the salary expenses. She asked if the defendants are still able to pay for their tickets.

Kelly Johnson stated it was still too early to tell what the effect on the budget will be. She stated the judges and prosecutors have not been paid due to the cancellation of the court arraignments and the trials. City staff are encouraging individuals to pay for their tickets over the phone. Other court questions are handled through email or over the phone. Defendants are still able to appear in person to handle their ticket.

Councilmember Woodruff asked for a percentage of people who pay their ticket.

Kelly Johnson stated approximately thirty to forty percent of defendants do not show for court. Another twenty to thirty percent of defendants handle their tickets prior to their court date. The court clerk attempts to contact the defendant. The presiding judge has given the court clerk the authority to set up a payment plan with the defendant.

Councilmember Mathews asked how the City was handling warrants that are already issued.

Chief Gott stated the officers are not confirming the status of warrants. The warrants will remain valid.

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

- A. An Ordinance of the City of Hedwig Village, Texas, amending Chapter 14, Buildings and Building Regulations, of the Code of Ordinances of the City of Hedwig Village, Texas by adding a new Article VIII, Commercial Landscaping Requirements, to establish minimum requirements for landscaping on commercial and multifamily property within the City of Hedwig Village, Texas.

Councilmember Mathews asked if the Planning and Zoning (P&Z) Commission approved the ordinance prior to submittal to Council.

Evan DuVall, Assistant Building Official, stated the ordinance was reviewed by P&Z and the City Attorney. He stated the ordinance could wait until the next Council meeting.

Councilmembers Mathews and Woodruff stated additional discussion on this ordinance would be helpful. Councilmember Woodruff asked about the impact to commercial properties and the ability of the City to attract quality re-developers. Councilmember Mathews stated there would be no impact to existing shopping centers or to existing Planned Unit Developments.

Kevin Taylor stated BBG Consulting would submit to City Council an executive summary of the ordinance.

No further discussion on this item.

Motion was made by Councilmember Woodruff and seconded by Councilmember Rouse to table the ordinance. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

- B.** An Ordinance of the City Council of the City of Hedwig Village, Texas adopting Amendment No. 1 to the Original Budget of the City of Hedwig Village, Texas: (a) amending Chapter 70, Streets, Sidewalks, and Other Public Places of the City of Hedwig Village, Texas Code of Ordinances, by amending Article II, Construction Standards, Division 2, Minimum Standards and Requirements, to modify Section 70-56, Streetlight Spacing, to increase the minimum streetlight spacing within commercial districts; and (b) amending the Design Manual adopted under Chapter 284 of the Texas Local Government Code to adopt commercial streetlight standards.

Councilmember Mathews asked if the Planning and Zoning Commission approved the ordinance prior to submittal to Council.

Evan DuVall, Assistant Building Official, stated this ordinance included changes to “clean up” an ordinance that was already approved by City Council. The purpose of the ordinance is to adopt a streetlight standard for the commercial districts. City Council previously approved an ordinance for a streetlight standard for the residential districts.

Kevin Taylor stated this ordinance could wait until the next City Council meeting.

Councilmember Rouse requested a comparison of this ordinance to other cities.

Kevin Taylor stated BBC Consulting would submit to City Council an executive summary of this ordinance.

No further discussion of this item.

Motion was made by Councilmember Rouse and seconded by Councilmember Woodruff to table the ordinance. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

- C.** An Ordinance of the City Council of the City of Hedwig Village, Texas amending Chapter 10, Animals, Article I, In General, Code of Ordinances of Hedwig Village, by adding a new Section 10-4, Feeding of Animals, for the purpose of controlling the feeding of animals on public and private property.

Councilmember Woodruff stated this amendment to the previously approved ordinance would remove the word “only” and remove the language “within a working trap and such trap has been placed” from Section 10-4(c). The change would allow the citizens who are responsibly feeding the feral cats communities to continue to do so without trapping the animal.

Motion was made by Councilmember Woodruff and seconded by Councilmember Johnson to approve the ordinance with the discussed amendments. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

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

None

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. AG/CM progress report related to the Hedwig Village Paving and Draining Project.

Michael Medwedeff, Project Manager with AG/CM, discussed the following:

- The survey crews have completed 100% of the streets and surfaces survey.
- Data from the survey will be uploaded into a CAD format.
- LJA and Memorial Village Water Authority have coordinated for geotechnical soil sampling.
- Geotechnical soil sampling is complete and testing has begun.
- Some utility flags placed at various locations throughout the City were not placed in association with LJA's survey work.
- The AG/CM project controls are ahead of schedule.
- LJA has submitted pay voucher #3 for approval and payment. AG/CM has approved the voucher for payment.
- LJA should submit their report by the end of April.

Mayor Muecke asked what the expected percentage is through the project budget.

Michael Medwedeff stated the expenses are estimated to be approximately \$153,000 for the project.

Councilmember Rouse asked what information would be included in the final report from LJA Engineering, Inc. Will the report contain the survey information and the soil analysis? Will the report be in electronic format?

Michael Medwedeff stated the report will include the information from the base survey agreement as well as the change order survey agreement.

B. Proclamation proclaiming the week of April 12 through 18, 2020 as Public Safety Telecommunicators Week.

Mayor Muecke read the proclamation into the record and thanked the telecommunicators at the police department for their work.

C. Discussion of financial impact to Hedwig Village of Judge Hidalgo's 03/16/20 order closing restaurants and 03/24/20 order closing other businesses in Hedwig Village. Discussion of financing alternatives including use of tax notes to provide needed liquidity to Hedwig Village.

Mayor Muecke stated, that due to spread of COVID-19, several businesses within Harris County, including within Hedwig Village, were ordered closed by County Judge Lena Hildago. He stated the City's budget relies on transactional tax such as sales tax. Due to the closure of most types of sales tax generating businesses, the reduction in transactional tax is estimated to be approximately sixty percent. The City can use tax notes in an amount up to \$1.8M to cover expenses if the loss of revenue from sales tax is too great. Council would need to decide to use tax notes, and the amount of the tax notes, by July 1, 2020 due to the various requirements and steps the City would need to take prior to funding/selling the tax notes.

Councilmember Mathews asked how the dollar amount of the tax notes would be decided. She asked, if the tax notes are approved by Council and not used, could the debt be repaid early with no penalty.

Mayor Muecke stated City Council approved a reimbursement resolution in 2018 to allow the City to reimburse itself for certain expenses with the use of tax notes if the City faced an emergency situation. The expenses eligible for reimbursement were capital expenses made during the previous eighteen months prior to approval of the resolution. The debt could be repaid early with no penalty.

Councilmember Johnson stated it would be prudent for the City to have funds available. He clarified the interest rate on the tax notes would be two percent.

Councilmember Folloder agreed it would be a prudent and necessary step for the City to ensure liquidity. The citizens expect the services to continue and interest rates are at historic lows.

Councilmember Rouse agreed having access to funds during difficult times makes sense. She stated the City would be assuming debt and the possible long-term impact of reduced revenue could affect the City's ability to repay. She stated the City should also look at possibly reducing expenses during the upcoming budget discussions.

Councilmember Woodruff stated Council will need to make a decision soon based on the facts available at the time. He stated every budget discussion involves reviewing revenues and expenses. The residents expect and are grateful for the services the City provides, such as police and fire protection. The City needs access to funds in order to operate properly.

Councilmember Mathews agrees having access to funds is a good idea. She does not want to lose any of the services the citizens have come to expect.

Councilmember Johnson stated he is hopeful sales tax revenue will improve. He stated having a contingency plan in place for funds in the bank is a good idea.

Councilmember Folloder agrees a contingency plan to ensure funds in the bank to maintain the health and safety of the community is a necessary and responsible step the City should take. Mayor Muecke stated a tax note of \$1 million, with a seven year pay back and a two percent interest rate, would add \$0.014 to the City's current ad valorem tax rate per million dollars of debt issued. If the tax note is \$1.8 million, the increase in the City's current ad valorem tax rate would increase approximately \$0.025. The debt would be repaid through ad valorem taxes. He

stated City Council must act on this topic at a regular Council meeting. The consensus of Council appears to favor the approval of the tax note to ensure liquidity. The City's financial advisors, US Capital Advisors, will provide an estimate of the proposed tax note at the May Council meeting. A decision by Council could be made at the May Council meeting.

Councilmember Folloder asked if the City could receive more accurate report from Sales Tax Assurance.

Mayor Muecke stated the sales tax notifications from the state of Texas are about two months behind, meaning the sales tax reported to the City by the State for April are actually sales tax figures from February.

Councilmember Woodruff stated there may be other sources of funds available to the City. There is discussion in Washington, D.C. for allocation of funds to state and local governments as a compensation for loss of revenue.

Councilmember Rouse asked about possible reimbursement from the federal government for COVID-19 related expenses. She also requested repayment scenarios for the proposed tax notes. She asked if the proposed tax note funds would be used to retire the debt if the funds are not used, either partially or in full. She requested the City sent out a notification advising the residents of the loss of sales tax and requesting the residents shop in the City when practical.

9. CLOSED SESSION – The City Council will retire into Closed Session as authorized by Chapter 551, Texas Government Code, to discuss the following matters:

None

10. ACTION – CLOSED SESSION - The City Council will discuss and consider any action necessary on items discussed in Closed Session.

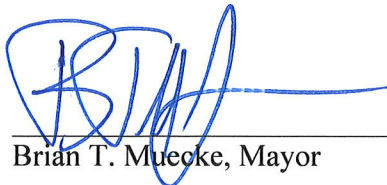
None

11. ADJOURN

Motion was made by Councilmember Woodruff and seconded by Councilmember Mathews to adjourn the meeting at 8:15 p.m. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

Approved and accepted on May 21, 2020.



Brian T. Muecke, Mayor

ATTEST:



Lisa Modisette, Asst. City Secretary