



CITY OF HEDWIG VILLAGE, TEXAS
REGULAR MONTHLY CITY COUNCIL MEETING
MAY 20, 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 monthly Executive Orders or Proclamations to the most recent Proclamation dated May 5, 2021 relating to the COVID-19 pandemic and the need to minimize face-to-face contact, the City of Hedwig Village held the May 20, 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 6:30 p.m.

Present: Mayor Tom Jinks

Councilmember Scott Davis
Councilmember Harry J. Folloder
Councilmember Dane Johnson
Councilmember Shirley Rouse
Councilmember Matt Woodruff

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

Absent: None

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

2. CITIZEN/VISITOR COMMENTS

Anne Retzler, 913 Magdalene Drive, expressed concern about the trees that are removed during construction.

Tom Roth, 854 Pecanwood, reviewed several projects completed by the Parks and Beautification Committee.

Ralph Kerr, 1147 Duart, spoke in favor of the proposed paving and drainage project. He suggested the City should move along on the project in a speedy manner.

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

April 15, 2021 Joint Public Hearing

B. Approval of General Fund Bills

General Fund Bills

Voided Checks – one

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

| | |
|--|-------------------------------------|
| Texas State Treasurer - \$18,385.38 | TML Intergovernmental - \$20,078.50 |
| City of Bunker Hill Village - \$3,599.60 | Johnson Petrov - \$10,196.75 |
| Axon Enterprise, Inc. - \$15,072.00 | Accutek - \$2,980.95 |
| LJA Engineering, Inc. - \$9,453.40 | Mata Turf, Inc. - \$12,338.22 |

Motion was made by Councilmember Woodruff and seconded by Councilmember Johnson to approve the consent agenda as presented. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

4. REPORTS

A. Financial Report – April 2021 (before audit) – Kelly Johnson, City Admin, Sec.-Treas.

Kelly Johnson discussed the following:

- The City has \$4.9M in restricted funds and \$4.2M in available funds for a total of \$9.1M.
- The City is fully collateralized.
- Sales tax has increased sixty six percent for May 2021 compared to the same time period in 2020. The sales tax is up almost four percent for the year compared to the same time period in 2020.
- The City is thirty three percent through the budget year.
- Revenues for 2021 are approximately sixty nine percent of budget and expenditures for 2021 are approximately thirty percent of budget.
- The collection rate for the ad valorem tax is ninety eight percent through the end of April 2021.

Councilmember Folloder stated the City is recognized by the United States Post Office as a City and residents should specify Hedwig Village as their City when purchasing products online. The City will receive its share of the sales tax from that purchase.

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

Chief Gott discussed the following:

- There was a total of thirteen crimes for April 2021.
- The Hedwig Village Police Department is cracking down on vehicles with counterfeit paper plates.
- The fleet vehicles are fully operational.
- Tyler Technologies is moving forward with the conversion from Cardinal to Incode. The new software should be operational by Labor Day of this year.

- The department has hired a new officer. John Garza, Jr. reentered the work force after retiring from the Houston Police Department after twenty five years.
- The police department shared a video on their Facebook page from the Houston Police Department with suggestions for reducing the likelihood of your catalytic converter being stolen.

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

Councilmember Folloder discussed the following:

- The department has responded to one hundred thirty six calls in Hedwig Village for the year. Forty three of those calls were for life threatening incidents.
- The department has responded to twelve life threatening fire calls this year.
- 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 department is fully staffed.
- The renovation project is three weeks behind schedule due to the winter storm, COVID, and unforeseen issues, such as a failed foundation and mold in the walls. The project is on budget.
- Hedwig Village now holds the position of Treasurer for the Fire Commission.

D. Beautification – Kathryn Schenk, Chairperson

Kathryn Schenk discussed the following:

- All City signs have been installed. The committee is waiting for the electric to be installed for the lights. Landscaping will begin after the lights are installed.
- The landscaping for Echo Lane and Taylorcrest is planned and work will begin soon.
- The Campbell Road Esplanade flowers have been replaced.
- The trees and grass on Gaylord Drive between Echo Lane and Piney Point Road are looking good. Terry Vick has been watering this area several times a week.
- A resident spoke at the last meeting to express concern about the park.
- A representative from a park equipment vendor will be at the meeting to speak.

E. Mayor – Monthly Report – Mayor Tom Jinks

Mayor Jinks discussed the following:

- Residents are interested in more communication from City Hall. The City will place a door hanger on each door in Hedwig Village requesting the residents

sign up for email/text notifications. The door hanger will include the City's website address. The door hanger will include useful phone numbers, such as the Hedwig Village Police Department and the Village Fire Department.

- The Streets and Drainage Committee will be re-instated. The residents, especially on the west side, are interested in the proposed drainage project.
- There will be a quarterly newsletter that will be mailed to all residences, beginning in June 2021.

Councilmember Folloder requested a QR code on the door hanger that links directly to the email/text notification signup webpage. He also suggested a refrigerator magnet with useful numbers.

Councilmember Woodruff suggested creating a new resident packet.

F. Building Official – Kevin Taylor, Building Official, and Evan DuVall, Assistant Building Official

Evan DuVall discussed the following:

- **Moody Project** – Milk and Cookies is close to installing final finishes, kitchen equipment, and furniture. The store front facing Gaylord Drive is taking shape. Belong Bakery improvement are underway. Tenant improvements for a coffee and wine shop have been approved for the ground floor. Tenant improvements for a bank have been approved for the fourth floor.
- **Memorial High School Main Campus** – The student drive traffic light on Gaylord Drive is operational. The traffic engineer has modified the street light timing and there have been no reported issues. The main school building interior work is ongoing. The exterior masonry work will begin soon to cover the steel framework. The traffic light poles have been installed on Echo Lane at Gaylord and work should finalize in July. The new traffic light will not be installed until the light has been fully tested by the traffic engineer. When the new light is installed, the old light will be removed.
- **A conditional permit** has been issued for a coffee shop at the corner of Piney Point Road and the I-10 Frontage Road. The improvements have begun and the existing canopy cover has been removed. The construction should begin more actively toward the middle of the month.
- **Small Nodes** – The City has issued the first round of comments for street light small nodes in compliance with the City's Design Manual and ordinance. These comments are being addressed and work should begin on these small nodes later in the month or early next month.

Councilmember Woodruff stated there is a house on Beinhorn with unlawful signs. He also asked the Building Official to follow up with the concerns mentioned early in the meeting by Mrs. Retzler concerning trees. He questioned the front yard fence on a lot on Beinhorn. The City ordinance prohibits a front yard fence.

Evan DuVall stated he would follow up on these issues. He stated the tree disposition plan and permit are approved by the City Forester.

Councilmember Rouse asked if the City received a written report from the City Forester regarding a project.

Evan DuVall stated the City Forester notes her comments on the construction plans submitted to the City.

Evan DuVall stated the Building Official and the City Attorney determined a two foot tall fence did not meet the definition of a fence. The definition of a fence, in the City's Code of Ordinance, states a fence is a barrier that limit egress and ingress. The legal determination was that a two foot tall fence would not limit egress or ingress, therefore, in this instance, the structure does not meet the definition of a fence.

Councilmember Davis questioned the height of the new buildings recently built in the City.

Evan DuVall stated the City approved a Planned Unit Development (PUD) for the Stream Development, the Moody Development, and the high school.

Councilmember Johnson stated the school district project is also a PUD which allowed the City to have some input into the project. The school district could have built the school without any input from the City.

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

Mayor Jinks stated Councilmember Scott Davis will be the Council Liaison.

He stated it is important to appoint residents to the Planning and Zoning (P&Z) Commission quickly so the members can start meeting again.

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

Kelly Johnson discussed the following:

- Harris County Appraisal District has provided the preliminary property values for 2021. The values have increased approximately two and a half percent.
- The calendar for the 2022 Budget will be available next month.
- The 2020 Financial Audit should be completed and ready for review next month.
- The Recycle/Shred/Donate Event will be held on October 23, 2021 from 8:00 a.m. to noon in the Hedwig Village City Hall parking lot. The electronic vendor will participate this year. Councilmember Woodruff requested Harris County Household Waste participate this year.

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

- A. A Resolution of the City of Hedwig Village, Texas, designating the City of Hedwig Village's Commissioner and Alternate Commissioner to the Village Fire Department Board of Commissioners.

Councilmember Folloder stated he would be honored to continue serving as the Hedwig Village Fire Commissioner. He was a firefighter and paramedic in the Austin area during college. He is the current treasurer of the VFD Board of Commissioners and the chairman of the VFD renovation committee.

Bill Johnson, current VFD Alternate Commissioner, has agreed to continue serving in that capacity. He is a former Councilmember and a former Commissioner to the VFD Board of Commissioners.

There was no further discussion.

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

MOTION CARRIED UNANIMOUSLY

- B. A Resolution by the City of Hedwig Village, Texas consideration and possible action regarding amendment to the Village Fire Department's 2020 Village Fire Department Budget to authorize the Intra-Budgetary Transfers to maintain a balanced budget.

Councilmember Folloder stated this resolution would approve the intra-budgetary transfers for the 2020 VFD Budget.

There was no further discussion.

Motion was made by Councilmember Johnson and seconded by Councilmember Woodruff to approve the resolution as presented. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

- C. A Resolution by the City of Hedwig Village, Texas regarding a request from the Village Fire Department Commission to approve the proposed 2021 Village Fire Department Budget in the amount of \$7,453,447.31 with Hedwig Village's 2021 Assessment being \$1,378,887.75 (18.50%).

Councilmember Folloder stated the VFD Budget under consideration for approval is the 2022 Budget, not the 2021 Budget. The 2022 VFD Budget is approximately five percent higher than the 2021 VFD Budget, mostly due to an increase in personnel costs and the replacement of the defibrillator packs carried on all fire trucks and the ambulance.

Councilmember Woodruff stated the VFD decided years ago to earmark funds in the budget each year for the non-rolling stock items, such as the defibrillators.

Councilmember Folloder stated the VFD budget would have included funds for such items each year but one of the villages wanted to pay for those type items as they are needed.

There was no further discussion.

Motion was made by Councilmember Woodruff and seconded by Councilmember Johnson to approve the Resolution as presented. 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:

A. Discussion and possible action regarding appointment of Mayor Pro-Tempore.

Mayor Jinks nominated Councilmember Rouse for Mayor Pro-Tempore. He stated he has known Councilmember Rouse for many years and she has served on the City Council for years. He stated he believes he and Councilmember Rouse are aligned in their thinking. He stated he preferred someone he is familiar with.

Councilmember Johnson nominated Councilmember Matt Woodruff to remain as the Mayor Pro-Tempore. He stated Councilmember Woodruff has done an honorable job as Mayor Pro-Tempore the last several years.

Councilmember Folloder stated Councilmember Woodruff has served the City well and without bias as Mayor Pro-Tempore. He stated Councilmember Woodruff is very experienced in how the city operates and experienced in the public sector as well as in governmental matters. He stated Councilmember Woodruff is knowledgeable about the City's issues.

Motion was made by Councilmember Folloder and seconded by Councilmember Johnson to nominate Councilmember Matt Woodruff as Mayor Pro-Tempore. Councilmember Davis voted against the motion. Councilmember Rouse abstained from the vote. Motion carried 3-1.

MOTION CARRIED

B. Discussion and possible action to approve appointments to the Planning and Zoning Commission for two year terms

Mayor Jinks nominated a list of residents to fill vacancies on the Planning and Zoning Commission (P&Z). The list includes Richard Alexander, Alan Ratterree, Brent Reed, Peter Sanborn, Meagan Travis, and Clay Trozzo. All nominees are residents of the City and are registered to vote in the City as required by the Hedwig Village Code of Ordinances (the Code).

Kelly Johnson stated the previous members, with the exception of Barbara Abrams, did not want to continue on P&Z.

Councilmember Johnson stated the list of nominees does not include any additional information regarding the nominees other than their name and address. He stated he is unsure of any potential conflict of interest.

Councilmember Rouse stated she served on P&Z prior to being elected to Council. She stated P&Z members receive training on the functions and duties of their appointed office and to mitigate any possible conflicts of interest. She stated P&Z does not make any decisions, they are a legislative body, they do vote, they draft ordinances, hold public meetings and public hearings, and recommend changes to the Code to City Council. She stated P&Z previously had a challenging time finding residents willing to attend meetings and to do the work necessary of P&Z.

Councilmember Johnson asked Alan Petrov, City Attorney, if there would be a conflict of interest if a potential member owned property in the commercial districts of the City.

Alan Petrov stated ownership of property does not create a conflict of interest. A possible conflict of interest could arise if the member owned property and voted on a matter that might impact their property in a positive way.

Mayor Jinks stated the residents on the list of potential members are willing to serve on P&Z. He stated Clay Trozzo will be Chairperson of P&Z. Mayor Jinks and Clay Trozzo both contacted the residents on the list for their interest in serving on P&Z.

Councilmember Johnson stated a full turnover of P&Z members is a different matter from appointing just one or two new members. Having resumes to review or having the possible members here to speak would be helpful in making this decision.

Councilmember Woodruff stated the Mayor recommends appointees to various boards and commission and City Council should confirm those appointees. However, the appointees should be qualified to fulfill the duties and responsibilities of the job. Having additional information would be helpful in making the decision.

Councilmember Davis stated he was a member of P&Z prior to his election to City Council. He stated there was a lack of participation and a high turnover by P&Z members. He stated the members, themselves, cared about the issues, but the group as a whole did not appear to care. He stated the City needs to find residents willing to attend meetings and do the work and there are issues ahead. The residents on the list showed interest in being involved. He stated the length of time to reach a P&Z consensus and recommendation to City Council needs to be shortened. He stated he understands the need to vet the P&Z nominees but that should not be a deterrent to filling the vacancies. It should be considered a positive that residents are willing to serve and tackle the issues.

Councilmember Johnson agrees that the vacancies should be filled but he would still like additional information on the proposed nominees. He stated he would like to know

where the nominees stand on the topics of interest to residents such as building height in the commercial district. Councilmember Johnson stated he is concerned about possible conflicts of interest of a pecuniary nature.

Councilmember Rouse stated it is a requirement to own property in Hedwig Village to serve on a board, commission, or City Council. She stated potential conflicts with the members and any topic under discussion should be vetted through the training that is provided and through the good governance of the board or commission. She stated that owning property in Hedwig Village does not imply a conflict of interest exists.

Councilmember Folloder agreed with Councilmember Davis concerning the past handling of P&Z has been horrible and he welcomes the residents willing to serve the interest in the City and the strategic planning. He stated there are issues in the City that need to be addressed and knowing more about the nominees would be useful. He stated the nominees all live on the west side of the City, everything from the east side of the City is not included, geographically speaking. He stated that might not be a problem. He stated the City needs residents willing to serve who are interested in the development of the City for the long-term. He suggested possibly holding a special meeting to meet and speak with the nominees.

Mayor Jinks stated the City should be careful about delaying the decision and be sensitive to the nominees' time. The nominees are ready to be appointed and tackle the issues facing the City.

Kelly Johnson, City Administrator, suggested collecting resumes of the nominees for review by Councilmembers.

There was no further discussion.

Motion was made by Councilmember Rouse and seconded by Councilmember Davis to approve the slate of nominees for the Planning and Zoning Commission.

Motion was made by Councilmember Woodruff and seconded by Councilmember Johnson to table this agenda item until the next City Council meeting. Councilmember Davis and Councilmember Rouse voted against the motion to table. Motion carried 3-2.

MOTION CARRIED

- C. Discussion and possible action to approve appointments to the Streets and Drainage Committee.

Mayor Jinks provided a list of residents who are willing to serve on the Streets and Drainage Committee. He stated Councilmember Rouse will serve as chairperson.

Councilmember Rouse stated the City will re-instate the Streets and Drainage Committee. She suggested having two Councilmembers on the committee. She has agreed to serve as chairperson. Five residents have agreed to serve and she stated several more are needed. The City will be represented by residents from five

geographic areas of the City – Northwest (Memorial Village Estates), Southwest (Magdalene area), West of Echo Lane (between Constance and Echo Lane), Central (between Echo Lane and Piney Point), and East side (east of Piney Point Road) with two at-large members. Residents have agreed to fill the positions for the Northwest, West of Echo Lane, East, and the two at-large positions. The purpose of the committee would be two-fold:

- Consider and recommend actions to maintain and improve the City of Hedwig Village streets and drainage infrastructure and policies.
- Engage and communicate with residents to identify concerns and implement solutions.

The residents to be chosen for the committee will have qualifications and experience with infrastructure projects to review topics related to streets and drainage, including the work previously done by LJA Engineering, Inc. (LJA).

The committee meetings will be open to the public so residents can attend and provide comments.

Councilmember Folloder suggested having someone from the Memorial Village Water Authority (MVWA) on the committee, possibly Gary Schenk, a resident of Hedwig Village and current Chair of the MVWA Board. Mr. Schenk could fill one of the vacant positions and he could provide insight into the MVWA's ageing infrastructure.

There was no further discussion.

No vote was required on this agenda item.

- D. Discussion and possible action to approve the re-appointment of the Hedwig Village Municipal Court Judge, Alternate Judges, Prosecutors, Alternate Prosecutors, and Court Clerk.

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| Gary Maddox – Lead Judge | Chris Gore – Lead Prosecutor |
| John Klevenhagen – Alternate Judge | Thomas Pfeiffer – Alternate Prosecutor |
| Sherry Lott – Alternate Judge | Christopher Nichols – Alternate Prosecutor |
| Timothy Kirwin – Alternate Judge | Lora Lenzsch – Alternate Prosecutor |
| Mark Easley – Alternate Judge | Matthew Sharp – Alternate Prosecutor |
| | Anita James – Alternate Prosecutor |

Motion was made by Councilmember Johnson and seconded by Councilmember Rouse to re-appoint the Municipal Court Judge, Municipal Court Alternate Judges, Municipal Court Prosecutor, Municipal Court Alternate Prosecutors, and Municipal Court Clerk as presented. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

- E. Discuss availability of City Council for attendance at summer Regular Council Meeting's and reschedule if necessary.

Councilmember Rouse suggested all Councilmembers contact Kelly Johnson with their summer schedules to confirm if a change in the Council meeting schedule is needed. She stated the third Thursday meeting date conflicts with the meetings of the Harris County Mayors and Council Association held on the same day.

Councilmember Woodruff stated the City historically held the City Council meetings on the second Thursday of every month. The City Council meeting was moved due to some reports not being ready in time for the second Thursday.

Kelly Johnson stated the sales tax report from the State Comptroller's Office and the sales tax reports from Sales Tax Assurance would not be available until the middle of the month.

Councilmember Johnson suggested Kelly Johnson suggest alternate dates for a possible change for the day of the Council meetings.

8. DISCUSSION ITEMS/PRESENTATION OF SPECIAL REPORTS

A. Recognition of Mayor Brian T. Muecke.

Mayor Jinks read a proclamation into the record and presented Brian T. Muecke with a gift of appreciation from the City. Deanna Harrington, from Texas Representative Jim Murphy's Office, presented Mr. Muecke with a Texas flag. Mr. Muecke was also presented with an American Flag, courtesy of United States Representative Lizzie Fletcher. The American flag was flown over the Capitol Building in Washington D.C.

B. Recognition of Councilmember Susan Mathews.

Mayor Jinks read a proclamation into the record and presented Susan Mathews with a gift of appreciation from the City. Deanna Harrington, from Texas Representative Jim Murphy's Office, presented Mrs. Mathews with a Texas flag. Mrs. Mathews was also presented with an American Flag, courtesy of United States Representative Lizzie Fletcher. The American flag was flown over the Capitol Building in Washington D.C. on Flag Day.

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

No report.

D. Improved communication with residents.

See Mayor's Monthly Report.

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. AGENDA REQUESTS FROM COUNCILMEMBERS


None

12. ADJOURN

Motion was made by Councilmember Folloder and seconded by Councilmember Rouse to adjourn the meeting at 8:25 p.m. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

Approved and accepted on July 15, 2021.



Tom Jinks, Mayor

ATTEST:



Lisa Modisette, Asst. City Secretary