



**CITY OF HEDWIG VILLAGE, TEXAS
REGULAR CITY COUNCIL MEETING
MARCH 7, 2024 – 6:30 P.M.
955 PINEY POINT ROAD**

MINUTES

1. CALL TO ORDER

Mayor Jinks called the meeting to order at 6:30 p.m.

Present: Mayor Tom Jinks

Councilmember Patrick J. Breckon
Councilmember Scott Davis
Councilmember Shirley Rouse
Councilmember Clay Trozzo
Councilmember Matt Woodruff

Wendy Baimbridge, City Administrator
David Gott, Police Chief
Lisa Modisette, City Secretary
Alan Petrov, City Attorney
Ian Knox, Building Official

Absent: None

City Council recessed at 7:56 p.m.

City Council reconvened at 8:04 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Jinks led City Council Members, Planning & Zoning Members, City staff, and residents in the pledge of allegiance during the Joint Public Hearing.

3. CITIZEN/VISITOR COMMENTS

Dr. David Auer, 11633 Joan of Arc, stated he is against the widening of Magdalene Drive, the possible use of concrete, and the possible construction of curbs. He prefers repaving. He is in favor of replacing the storm sewer. He likes the non-curb look.

John Irwin, 918 Constance, requested a public hearing regarding the proposed Westside Infrastructure Project. He likes his street as it is, which is asphalt. He requested City Council slow down before approving a project that is not needed, not wanted, and would have negative impacts on the neighborhoods on the westside. He thanked City Council for their service.

Greg Hoffman, 714 Magdalene Drive, stated he understands the need for infrastructure improvements; however, he prefers to keep the aesthetics as is.

Brent Reed, 11622 Denise, stated he had many questions regarding the Westside Infrastructure Project. He stated he would email his questions to city staff. A few of his questions include what is the need to replace the streets? Was an outside firm used to evaluate the current condition of the streets? Why replace asphalt with concrete? What is the 30% rule? What is the estimated cost for drainage replacement? Drainage repair?

Tom Roth, 854 Pecanwood, thanked the Village Fire Department for their service.

Andrea Hermann, 930 Karos Lane, stated the City has held multiple meetings regarding the proposed project. The City has hired outside firms to evaluate the streets. She stated if anyone came to these meetings, they would have received answers to their questions. She

further stated engineers have looked into the drainage system and we need to repair our storm sewer structure and Memorial Village Water Authority is involved. It has been twenty years and it is time to get it done.

Jamie Vazquez, 11622 Spriggs Way, provided written comments to the City. She stated the proposed project lacks scope. Several years ago, it was a drainage project. Now, the project fact sheet describes it as street reconstruction and drainage project, which I find confusing. Is the goal drainage, streets, aesthetics?

DuVal Dickey, 710 Magdalene Drive, stated several concerns regarding the proposed project. His concerns included, but not limited to, a possible property tax increase, engineering and construction cost overruns, contractors quitting, lack of space for contractor equipment that will have to be removed every day, dust, and access to driveways and mailboxes.

Steve Bollman, 11634 Denise, requests the City preserve the current aesthetics of the City, the trees, and the country look. He prefers to keep the asphalt. He stated the drainage should be improved wisely.

Cari Curtis, 11759 Duart Drive, offered her support to the Village Fire Department and the Hedwig Village Police Department. She agrees with the comments this evening. She disagrees with widening the streets. She stated her street has ditches and would like the ditches to be filled in. She stated she is in favor of a project to reduce flooding. She stated there is a drainage issue on Duart Drive and the water flowing from the west of Bunker Hill Road needs to be addressed. She stated her house has flooded multiple times. She is against widening the streets and adding curbs. It is really hard to drive down Duart when it rains sometimes.

Ralph Kerr, 11747 Duart Drive, stated he has seen three efforts to get this project going. He stated some of the issues are communication. The City has made multiple efforts to communicate to the residents and very little people show up for the meetings. There has been confusing information coming from different people. Some of the information is false and misleading. He stated there will not be widening of the streets. He stated the reason for the project has not been well communicated. It started out as a drainage project and studies show there will be incremental improvements to the drainage. During a review of the storm sewer pipes, it was determined a fair number of pipes were damaged, misaligned, or have tree roots breaking through. He stated he is in favor of the project and doing the project all at one time. He stated it is detrimental to defer maintenance to the infrastructure. He is in favor of eliminating ditches.

Diana Kopelman, 11706 Denise, stated she agrees with the comments this evening and is against the proposed project. She stated the proposed project would unnecessarily disrupt the neighborhood. She stated it is her understanding the project is aesthetics.

Russell Abshire, 909 Magdalene Drive, stated his previous house flooded twice. He rebuilt his house to eliminate that issue. He stated water from Bunker Hill Road flows to the east. He is against widening of the streets, changing asphalt to concrete, and adding curbs. He is in favor of drainage improvements.

Paul Cashiola, 11706 Spriggs Way, stated the neighborhoods in the City are different from each other. He is against curbs but is in favor of asphalt.

4. REPORTS

A. Police Report – February 2024 Crime Report & Statistics – Captain Paul Warner

Captain Warner discussed the following:

- There is an increase in non-violent crimes.
- There is an increase in vehicle thefts.
- The department is actively recruiting for one officer position. There is a possibility of two more open officer positions next month.

B. Fire Department – Councilmember Woodruff

Councilmember Woodruff discussed the following:

- The department responded to 36 incidents in Hedwig Village in February with an average response time of 2:49.
- Budget discussions have begun for 2025. There will be discussions about replacing aging equipment.
- Several budget workshops have been scheduled.

Councilmember Breckon asked about the department's ability to handle a Tesla fire.

Councilmember Woodruff stated there is training available.

C. Beautification – Andrea Hermann, Member

Andrea Hermann discussed the following:

- 257 bags of leaves were removed from the park.
- The committee is recommending the park signs, equipment, and tables at the park be power washed.
- Requests the Memorial Tree plaques in the park be placed flat on the ground.
- The Butterfly Garden landscaping is being refreshed with annuals.

D. Streets and Drainage Committee – Councilmember Rouse, Chair

Councilmember Rouse discussed the following:

- A meeting will be scheduled at the end of March or early April to review information provided by IDS, including trees, mailboxes, and the condition of asphalt streets.
- A Joint Workshop with City Council will be scheduled for the end of April to review the information from IDS and possibly take action on some decisions regarding the Westside Infrastructure Project.

E. Engineering Report – Councilmember Rouse

Councilmember Rouse discussed the following:

- The design for Robinwood Lane, Whippoorwill Lane, and Sprucewood Lane (north of Corbindale Road) is underway. Coordination with Memorial Village Water Authority is underway regarding their utilities. The bid process for this road rehab project will begin in late April. Sprucewood will be bid as an addition to the project if funds are available. City Council will make a decision on this project at the May Council meeting.

- The 2024 work for the Storm Sewer Cleaning and TVing Project should begin late March and will include Echo Lane and the drainage easement on the westside of the high school property.
- IDS responded to requests regarding drainage and roadway issues.
- Westside Infrastructure Project – the survey and Geotech work is complete. The draft data from the Geotech on the condition of asphalt streets is expected in late March. The drainage analysis is ongoing. A meeting with TIRZ 17 is scheduled for May 5, 2024 to discuss overflow. A meeting with St. Cecilia Catholic Church to discuss detention will be scheduled at a later date. A Streets and Drainage (S&D) meeting will be held at the end of March/early April and then will present to City Council. The City will have a Public Workshop between City Council and the S&D on April 25, 2024. The feedback from Geotech and the survey will allow the project to be outlined to a 30% level. Then, the City will have enough information to make a decision. The public can attend all the meeting and make a comment. The City has received written and verbal comments from 30% of the households on the westside. The City has approached 100% of the households.

F. Building Official – Ian Knox, Assistant Building Official

Ian Knox discussed the following:

- 8901 Katy Freeway – the plans should be resubmitted for additional review.
- 9201 Katy Freeway – the project is ongoing with an expected opening date in the third quarter of 2024.
- Commercial development – 1 project under review.
- Residential development:
 - 3 additions/remodels awaiting resubmittal for review.
 - 1 fence plan was approved.
 - 2 generators were approved.
 - 1 pool was approved.

G. Planning & Zoning Commission – Councilmember Trozzo, P&Z Liaison

Councilmember Trozzo discussed the following:

- Planning and Zoning (P&Z) finished up their work with the Commercial Design Guide.
- City Council passed several ordinances relating to the Design Guide.
- P&Z did not hold a meeting in February.
- A drainage detention requirement in the commercial and residential areas for new builds is a possible future discussion item. Several of the area Villages have this requirement.

H. Financial Report – February 2024 - Wendy Baimbridge, City Administrator/Treasurer

Wendy Baimbridge discussed the following:

- The City has \$8.3 million in available funds and \$7.2 million in restricted funds for a total of \$15.5 million.

- The City is 16.67% through the budget year.
- Sales tax and mixed beverage tax are down slightly for February compared to last year.

I. City Administrator – Monthly Update – Wendy Baimbridge, City Administrator/Treasurer
No report.

J. Mayor – Monthly Report – Mayor Tom Jinks

Mayor Jinks discussed the following:

- Thanked the residents for attending the meeting.
- The City needs to improve and maintain the infrastructure.
- A special meeting regarding the proposed project will be held on April 25, 2024.
- The City has held several open meetings with IDS, the Streets and Drainage Committee, and City Council regarding the proposed project. A public meeting was held on October 19, 2023. A notice was mailed to the residents and door hangers were delivered to all residences on the west side. Comments were received during and after the public meeting. The City has responded to several of these comments.
- City Council has not made any decisions regarding curbs, street surface, drainage, and swells.
- At the April 25, 2024 public meeting, EHRA will provide an update on the 30% design of the project. There will be a comments section at the beginning of the public meeting, after which City Council, the Streets and Drainage Committee, and City Engineers will discuss the project and the design.
- The Memorial Village Water Authority (MVWA) must replace their pipes. The pipes under Magdalene Drive are considered Priority 1 by MVWA.
- The streets on the westside of the City have far exceeded their lifespan. Magdalene Drive was built in the mid-1950s and has been patch-repaired multiple times due to road/sub grade failures.
- The storm sewer drainage system on the westside was constructed in the mid-1950s and has also far exceeded its life span. The storm sewer pipes that have been reviewed have several confirmed failures and/or blockages.
- The proposed project will improve drainage somewhat.
- All the utilities will be mapped and entered into a GIS program for future reference.
- The proposed new infrastructure on the westside will have drainage pipes with reliability and an infrastructure system that will not have to be repaired so often.
- The proposed project can be done in phases to minimize disruptions.

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 adopting Amendment No. 1 to the Original Budget of the City of Hedwig Village, Texas for the Fiscal Year 2023; providing detailed line item increases or decreases; providing for severability and containing other provisions relating to the subject.

Wendy Baimbridge, City Administrator, discussed the 2023 Budget Amendment. Several budgetary line items, including overtime, vehicle repairs, and equipment, exceeded the budget and several budgetary line items were underspent. The amendment is an inter-budgetary transfer to balance those line items. The inter-budgetary transfers amounted to \$345,703.

Motion was made by Councilmember Rouse and seconded by Councilmember Trozzo to approve the 2023 Budget Amendment as presented. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

- B. An Ordinance of the City of Hedwig Village, Texas adopting Amendment No. 1 to the Original Budget of the City of Hedwig Village, Texas for the Fiscal Year 2024; providing detailed line item increases or decreases; providing for severability and containing other provisions relating to the subject.**

Wendy Baimbridge, City Administrator, discussed the 2024 Budget Amendment. The police department vehicles approved for purchase in the 2023 Budget were ordered in 2023 but delivery was delayed until 2024 due to supply chain issues. The 2023 vehicles will be paid for out of the 2024 budget, necessitating the budget amendment. The total 2024 budget amendment amounted to \$134,724.48. The funds to cover this expense was transferred from the fund balance.

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

MOTION CARRIED UNANIMOUSLY

- C. An Ordinance of the City of Hedwig Village, Texas declaring the unopposed candidates for Council Position Nos. 2, 3, and 4 elected; providing that the May 4, 2024 General Municipal Officers election shall not be held; containing other provision relating to the subject; providing for severability; and repealing all ordinances or parts of ordinances inconsistent or in conflict herewith.**

Motion was made by Councilmember Rouse and seconded by Councilmember Woodruff to approve the Ordinance 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:

- A.** Discussion and Possible Action relating to cancelling the March 14, 2024 City Council meeting.

Motion was made by Councilmember Rouse and seconded by Councilmember Davis to cancel the March 14, 2024 City Council meeting due to lack of quorum. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

- B.** Discussion and Possible Action relating to a City Policy regarding private streets.

Mayor Jinks stated several residents have requested the City provide repair and/or drainage on private streets. The City is under no obligation to provide these types of services to private streets. Private street repair and drainage is the responsibility of the

homeowners who live on private streets. The City does not currently have a policy regarding this topic.

Alan Petrov, City Attorney, stated the Councilmembers who live on private streets do not have a conflict of interest regarding the discussion and vote on this topic.

Wendy Baimbridge, City Administrator, stated the proposed policy details the requirements the residents on private streets must meet in order for the City to accept said street as a public street. The policy covers such topics as:

- filing a petition with the City signed by all property owners on the private street requesting the City accept the street as a public street and to assume operation and maintenance of the street.
- Filing an amended plat with the City signed by all property owners of the private street dedicating to the City the street and right-of-way for the street, for public ingress and egress, at least fifty (50) feet in width.
- File a report signed by a registered professional engineer licensed in the state of Texas detailing the current condition of the private street as well as any improvement necessary to the street to meet the City's minimum construction standards for public streets.
- Have performed prior to the dedication to the City such work, if any, as detailed in the report provided in response to item 3 above, necessary to improve the private street to the City's minimum construction standards for public streets.
- The acceptance of the private street is approved by the City Council of the City.
- All costs, including any legal, engineering, and construction costs, for the items above will be the sole responsibility of the persons requesting the City to accept the private street.

Alan Petrov, City Attorney, stated a policy like this is common among other municipalities and a public hearing is not required. Changes can be made to the policy by a City Council vote. A private street accepted by the City as a public street cannot be reverted back to a private street. The City would own the street once acceptance was approved.

Councilmember Rouse suggested comparing the proposed policy with other municipalities' policies. She also suggested the residents of a private street wanting to go through this process should cover the expense of the City's engineer to access the condition of the street.

Councilmember Woodruff suggested adding language to the policy stating the City would accept the private street after the street was repaired and brought up to current standards.

Alan Petrov stated the City could assess a fee only to the property owners on the private street to fund the repairs of the street. There is a process to assess the fee and the residents on the street would have to agree to the assessment. He will amend the policy to address the concerns of the Councilmembers, including added language regarding drainage.

Councilmember Woodruff stated all private streets in the City are treated as public streets in regards to traffic. Councilmember Davis agreed and stated that contractors use the

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

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

A. As Authorized by 551.071, Consultation with Attorney, to discuss matters related to current and proposed contracts.

The City Council adjourned into Executive Session at 8:51 p.m.

The City Council reconvened into Regular Session at 9:03 p.m.

10. ACTION – CLOSED SESSION – The City Council will reconvene in open session and take action, if necessary, on the matters discussed in closed session.

Motion was made by Councilmember Woodruff and seconded by Councilmember Rouse to authorize Mayor Jinks to negotiate and execute a contract with Van Sant Landscaping, with the correction to the terms clause, as discussed in closed session. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

11. ADJOURN

Motion was made by Councilmember Rouse and seconded by Councilmember Woodruff to adjourn the meeting at 9:05 p.m. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

Approved and accepted on April 11, 2024.

ATTEST:

Tom Jinks, Mayor

Lisa Modisette, City Secretary