

**Mayor**  
Dee Grimm

## CITY COUNCIL MEETING

**City Manager**  
Maria Hernandez

**Council Members**  
Dwayne Padalecki  
Russell Beck  
Caid Franckowiak  
Justin Wiatrek  
John Hafner (Mayor Pro Tem)



**City Marshal**  
Mark Soto

**City Secretary**  
Janice Staudt

*City of Saint Hedwig*  
13065 FM 1346, St. Hedwig, Texas 78152  
210-667-9568

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Thursday, May 4, 2023

7:30 pm

Saint Hedwig City Hall  
13065 FM 1346  
Saint Hedwig, Texas 78152

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### APPROVED MINUTES

#### 1. CALL MEETING TO ORDER

Mayor Dee Grimm called the meeting to order at 7:30 p.m.

#### 2. ROLL CALL AND ESTABLISH A QUORUM

Mayor	Dee Grimm	Present
Mayor Pro-Tem	John Hafner	Present
Councilmember	Dwayne Padalecki	Present
Councilmember	Russell Beck	Present
Councilmember	Caid Franckowiak	Present
Councilmember	Justin Wiatrek	Present

Also Present:

CITY STAFF: City Manager Maria Hernandez, City Secretary Janice Staudt.

LIEUTENANT DEPUTY: Steve Barloco

#### 3. PLEDGE OF ALLEGIANCE

Mayor Dee Grimm led the Pledge of Allegiance.

#### 4. PUBLIC COMMENTS

Mayor Dee Grimm reminded everyone that 5 minutes is allocated for each citizen to be heard, and based on rules of order, City Council is not allowed to engage in discussion with citizens to be heard. She said Council is however, allowed to provide factual answers to questions citizens may have. She also noted that based on items presented by citizens to be heard, Council may determine if an item should be added to the next meeting agenda.

Tim Murray – 15285 St Hedwig Rd

Questioned whether Celltex pays sales tax, for he gets charged sales tax on his Ziplink (Celltex) bill, and wonders where the tax he's paying is going to? Also questioned whether commercial property is taxed differently than residential/ag property, for he's concerned about the City losing out on tax revenue from commercial businesses operating on non-commercial property.

Wanda Polasek – 1318 Nave Way

Concerning the proposed noise ordinance, the City is a rural community, and wants to be sure the whole community doesn't have to suffer because of the few causing the problem. Also, asked if proposed ordinances could be published for the citizens to review and comment on before Council approves them. Announced flag placements at the cemetery on May 20<sup>th</sup>. Contact her for more info.

Paul Monceret – American Legion Post Commander

Announced American Legion upcoming events:

May 21<sup>st</sup> – Annual Picnic, to include BBQ meal, bingo and dance.

May 28<sup>th</sup> – Memorial Day Celebration, a moving event starting at 10:30 am. County Line Band will perform & taps will be played.

June 4<sup>th</sup> – Auxiliary will host bingo beginning at 2:00 pm.

Connor Fillingim - 2210 FM 1518 #27, and also manages property on Adkins-St Hedwig Road.

- Agrees with Council’s decision to collect bids for the City’s garbage collection.  
Would like recycling service, for citizens who are interested in it, be included in the bid package.  
Also requested a central recycling dumpster, accessible to residents only on certain days of the month, be explored.
- Opposed to the increase in city-wide regulations being considered, for some regulations that make sense in residential areas tend to be more restrictive to the rural properties. Urges City to consider these differences in needs and find ways to address them before passing new ordinances. Perhaps regulations on noise or leash laws could be tailored according to zoning classification. Would also like to see the final draft of ordinances before being passed by Council.
- Concerning the proposed seal treatment repair of Adkins-St Hedwig and Adkins Elmendorf Roads. Along with cost, need to consider the quality of the repair work. Suggests delaying repairs and allocating the funds for better repairs in the next fiscal year.

Cody Scott – 14997 FM 1346 (owner of Green Bexar Farm)

Is in favor of a new proposed Agriculture/Commercial Zoning, and requested information and time line on it.

Mayor Dee Grimm – City is in the process of reviewing and updating the City’s Master Plan and will be looking at possibly redefining some zoning areas. Will hopefully have a draft of proposed changes at the next Council meeting.

## 5. CONSENT AGENDA

Approval of:

- A. City Council Public Hearing and Meeting Minutes, Thursday, April 13, 2023.
- B. Special Called City Council Meeting Minutes, Thursday, April 20, 2023.
- C. Finance Report for the month of March 2023.

Councilman Dwayne Padalecki – Requested the verbiage “Graytown or Pfeil Road” be changed to “Graytown and Pfeil Road” in the April 20, 2023 Special Called City Council Meeting Minutes, Page 1, Agenda Item 4, under Kirsten Butterworth Public Comments.

MOTION	Councilman John Hafner moved to approve the Consent Agenda, with the amendment to the April 20, 2023 Special Called City Council Meeting Minutes.
SECOND	Councilman Russell Beck seconded the motion
VOTE	All were in favor. The Motion was approved.

## 6. PROCLAMATION 2023-01-P –

### 54<sup>TH</sup> ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK APRIL 30-MAY 6, 2023

Mayor Dee Grimm – recognized the important role of municipal clerks/secretaries, and thanked City Secretary Janice Staudt for her dedication and service.

## 7. REPORTS

### A. CITY PARK REPORT

No Report

### B. ROAD REPORT

Councilman Caid Franckowiak – reported ongoing road repairs.

Mayor Dee Grimm – working on Request for Proposal for 2023 Roadway Rehabilitation Project.

City Manager Maria Hernandez – bull rock has been placed down in areas damaged by recent storms, and gravel has been placed in washouts around some mail boxes per mail carrier’s request.

**C. PLANNING AND ZONING (P&Z) COMMISSION REPORT**

P&Z Chairman, Wanda Polasek –

April 18<sup>th</sup> P&Z meeting –

- Approved Pittman Road property final plat, which had previously been approved with contingencies.
- Opened for discussion only, the feasibility of creating an AC1 (Agriculture Commercial) zoning option, which would be commercial zoned for ag related businesses only.

**D. MARSHAL’S OFFICE REPORT**

Lieutenant Deputy Steve Barloco reported for Month of April, 2023:

- Received 63 calls for service.
- Conducted 203 traffic stops, resulting in 158 citations, and 117 warnings.  
Lieutenant Barloco also broke down the violations in greater detail for Council.

Mayor Dee Grimm – inquired about the recent cow shootings.

Lieutenant Barloco – Bexar County Sheriff’s Department is the lead agency in that investigation, it’s a multi-jurisdictional endeavor, an ongoing investigation, and Saint Hedwig Marshal’s Office has increased security checks.

**E. MAYOR’S OFFICE REPORT**

Mayor Dee Grimm – She and City Manager Maria Hernandez had a teleconference with Commissioner Calvert for assistance in acquiring grants for infrastructure and expanding the City offices, and to bring services here that would benefit the citizens, such as a kiosk to pay their taxes instead of having to go downtown.

**F. CITY MANAGER REPORT**

City Manager Maria Hernandez –

- Waiting on response from TDEM (Texas Department of Emergency Management) on grant application for a generator for City Hall, but they are backlogged. This application was part of the Government’s COVID grants and there are no strings attached to it.
- Upcoming meeting with AACOG (Alamo Area Council of Governments) for direction to other grants and loan qualifications.

**G. MUNICIPAL COURT REPORT**

City Manager Maria Hernandez -

20-30 people appeared at the May Court.

Councilman John Hafner – asked for explanation of “show cause”.

Judge Dee Grimm – It is an order issued to a defendant to “show cause” why they did not provide required documents or do what they agreed to do.

Also noted consideration to expand Court to twice a month.

**H. CITY ENGINEERING REPORT**

City Engineer Jess Swaim, 6S Engineering -

- 2023 Roadway Rehabilitation Project – Council has agreed to move forward with two-course surface treatment base repairs and he’s working on the scope for that. Recommends work be finalized in the summer before temperatures reach 65 degrees, or material won’t bind.
- Processed a flood plain review.
- Finalizing the Park Map. Will be on display soon.
- Investigated erosion around the park walking path bridges, and will assist in acquiring Contractors to repair.

**8. ITEMS FOR INDIVIDUAL CONSIDERATION**

**A. ORDINANCE 2023-03 – AN ORDINANCE REGULATING EXCESSIVE NOISE IN THE CITY’S JURISDICTION –**

Discussion/Possible Action

AN ORDINANCE OF THE CITY OF SAINT HEDWIGI, TEXAS; CREATING A NOISE PROHIBITION ORDINANCE;

CREATING MINIMUM AND MAXIMUM PENALTIES FOR NOISE VIOLATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Councilman Russell Beck – met with Marshal Soto and determined the noise ordinance would not be effective, since most properties are fenced and gated, preventing officers to enter.

Mayor Dee Grimm – there’s no need to discuss the Ordinance if it’s not ready to present it to Council.

Councilman Russell Beck – suggested issuing a citation for disturbance of the peace instead.

MOTION	Councilman Russell Beck moved to take Ordinance 2023-03 off the table.
SECOND	Councilman Justin Wiatrek seconded the motion
DISCUSSION	<p><u>Councilman John Hafner</u> - is still in favor of the Ordinance. The main issue is to protect the existing citizens and their quiet rural life, predominately from new residents who move here to party and abuse the peacefulness.</p> <p><u>Councilman Dwayne Padalecki</u> – questioned if disturbance of the peace is an option per the Marshal, instead of the noise ordinance.</p> <p><u>Councilman Russell Beck</u> – Yes.</p> <p><u>Councilman Justin Wiatrek</u> – doesn’t think the ordinance meshes with the rural style of life. He’s not interested in restricting anyone’s rural way of life and the use of their property.</p> <p><u>Councilman John Hafner</u> – believes it’s not restricting, but protecting the rural way of life.</p> <p><u>Councilman Justin Wiatrek</u> – Ordinance should only address specifics, such as loud music, and not five pages relating to loud animals. Would like additional conversation with the Marshal concerning disturbance of the peace.</p>
VOTE	Motion failed.

MOTION	Councilman John Hafner moved to table Ordinance 2023-03 one more month.
SECOND	Councilman Caid Franckowiak seconded the motion
VOTE	Motion passed. Ordinance 2023-03 was tabled for another month.

**B. ORDINANCE 2023-08 - MUNICIPAL COURT TECHNOLOGY FUND** – Discussion/Possible Action  
 AN ORDINANCE OF THE CITY OF SAINT HEDWIG, TEXAS, ESTABLISHING A MUNICIPAL COURT TECHNOLOGY FUND; PROVIDING FOR THE ASSESMENT AND COLLECTION OF A MUNICIPAL COURT TECHNOLOGY FEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR EXPIRATION DATE.

City Manager Maria Hernandez – explained that each citation includes a Municipal Court Technology Fee, which can only be used for Court technology associated purchases, such as software and computers. This Ordinance legalizes the City’s collection of the fee.

MOTION	Councilman John Hafner moved to approve Ordinance 2023-08
SECOND	Councilman Dwayne Padalecki seconded the motion
VOTE	All were in favor. Ordinance 2023-08 was approved.

**C. ORDINANCE 2023-09 - MUNICIPAL COURT BUILDING SECURITY FUND** – Discussion/Possible Action.  
 AN ORDINANCE OF THE CITY OF SAINT HEDWIG, TEXAS, PROVIDING FOR THE ASSESMENT AND COLLECTION OF A MUNICIPAL COURT BUILDING SECURITY FEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR EXPIRATION DATE.

City Manager Maria Hernandez – explained that each citation includes a Municipal Court Building Security Fee, which can only be used for Court security purchases to keep the Court safe, such as cameras. This Ordinance legalizes the City’s collection of the fee.

MOTION	Councilman John Hafner moved to approve Ordinance 2023-09
SECOND	Councilman Dwayne Padalecki seconded the motion
VOTE	All were in favor. Ordinance 2023-09 was approved.

**D. ORDINANCE 2023-10 – ENGINE COMPRESSION BRAKE - Discussion/Possible Action**  
 AN ORDINANCE OF THE CITY OF SAINT HEDWIG, TEXAS PROHIBITING THE USE OF ENGINE COMPRESSION BRAKES WITHIN THE CITY LIMITS AND DECLARING SUCH USE A PUBLIC NUISANCE; ESTABLISHING A PENALTY; PROVIDING FOR A CUMUATIVE AND REPEALING CLAUSES; PROVIDING FOR SEVERABILITY; AND PROVIDING FORAN EFFECTIVE DATE.

Councilman John Hafner – asked if this is a problem?

Councilman Russell Beck – many cities are implementing an ordinance for this, for trucks are using their engines to slow down instead of brakes, causing a backfire, which also occurs with cars having straight pipes.

Mayor Dee Grimm – summarized the ordinance to be that it’s unlawful for anyone to operate a motor vehicle with compression engine brakes or “Jake Brakes” within the city limits.

MOTION	Councilman Russell Beck moved to approve Ordinance 2023-10
SECOND	Councilman John Hafner seconded the motion
VOTE	All were in favor. Ordinance 2023-10 was approved.

**E. DOG LEASH LAW - DISCUSSION ONLY**

Mayor Dee Grimm – this has been a topic of discussion for Council over the past.

Councilman Dwayne Padalecki – The City used to pay \$55 to Bexar County to assist with animal control, but they no longer provide that service. He questioned the County Commissioner in 2020 on why that service no longer exists, but did not receive a response. Requested to look into getting that service again, no matter what the cost.

Mayor Dee Grimm – can talked to the Commissioner again about animal control service, but the last time she talked to Bexar County, they no longer had the capacity to provide that service. Issues for the City to provide that service include needing personnel to pick up the animals, needing a shelter to house the animals, and needing personnel to care for the animals. It would be best to just have an agreement with an existing animal shelter, but most of them don’t have any capacity, so she’s not sure what the resolution is.

Councilman John Hafner – A leash law however is a different thing, and would mandate if you have your dog out in public, it needs to be on a leash.

Mayor Dee Grimm – Asked Council if they think the City needs a leash law, and only Councilman John Hafner replied no, so a leash law will not be considered at this time.

Citizen Wanda Polasek – May want to consider a leash law only in certain areas.

Citizen Tim Murray – May want to consider a nuisance law instead. He doesn’t need his dog on a leash when he has a hundred acres for it to run on, but he doesn’t want his neighbor’s goats coming onto his property and pulling up newly planted sprigs, which could be considered a nuisance.

**9. ANNOUNCEMENTS**

The next Saint Hedwig General Election will be May 6, 2023, to elect City Council Place 1, City Council Place 3 and City Council Place 5, and the candidates are:

City Council Place 1: Kirstln Butterworth and Dwayne Padalecki (incumbent)

City Council Place 3: Connor A. Fillingim and Caid Franckowiak (incumbent)

City Council Place 5: John Hafner (incumbent, unopposed, declared elected)

**10. EXECUTIVE SESSION**

A. City council will convene in Closed Session under the Texas Government Code Section 551.071 (consultation with Attorney) - Regarding possible legal issues related to pending Special Use Permit

(14400 FM 1346, Saint Hedwig, TX), pending development applications/variances and matters related thereto.

Council did not go into executive session for Agenda Item 10.A.

**11. RECONVENE IN OPEN SESSION**

A. No executive session was held on Agenda Item 10.A.

**12. DETERMINE DATE FOR NEXT MEETING**

Next Regular City Council Meeting will be Thursday, June 1, 2023.

**13. ADJOURNMENT**

Mayor Dee Grimm adjourned the meeting at 8:32 p.m.



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Dee Grimm, Mayor

ATTEST:



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Janice Staudt, City Secretary