



**CITY OF HEDWIG VILLAGE, TEXAS  
REGULAR MONTHLY CITY COUNCIL MEETING  
JANUARY 11, 2022  
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 Scott Davis  
Councilmember Dane Johnson  
(arrived at 6:34 p.m.)  
Councilmember Harry J. Folloder  
Councilmember Shirley Rouse  
Councilmember Matt Woodruff

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

Absent: None

**2. PLEDGE OF ALLEGIANCE**

Boy Scouts Charlie Chauvin, Christopher Lee, David Lee, and Timothy Chapman led the City Council, City staff, and visitors in the Pledge of Allegiance.

**3. CITIZEN/VISITOR COMMENTS**

Boy Scouts Charles Chauvin, Christopher Lee, David Lee, and Timothy Chapman attended the meeting to earn requirements for various merit badges. They are members of Troop 673 from St. Cecilia Catholic Church.

Harry Craig, 839 Merridel, requested the tree moratorium remain in effect until the February 2022 City Council Meeting.

Andrea Hermann, 930 Karos Lane, expressed concern about the trees within the City.

Tom Roth, 854 Pecanwood, expressed concern over the loss of trees within the City.

**4. REPORTS**

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

No report.

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

Chief Gott discussed the following:

- Total crime for 2021 is ten percent lower than for 2020 and thirty percent lower than for 2019.
- A suspect has been arrested for felony assault. The suspect is currently in jail.

- A suspect has been arrested for theft for not paying for items purchased through social media.
- The department has had eleven confirmed COVID cases since December 2021.

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

Councilmember Folloder discussed the following:

- The department has responded to four hundred seventy two calls for service in the City for 2021. One hundred thirty five of those calls were for life threatening EMS incidents and thirty seven were for life threatening fire incidents. One hundred eight calls were fire alarm responses.
- 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 quickly and successfully responded to an electrical fire in a commercial building in Hedwig Village.
- The renovation project is almost complete. The department is still waiting on the overhead bay doors to be installed. The project is under budget but over schedule.
- Personnel morale is high.

**D. Beautification** – Kathryn Schenk, Committee Chairperson

No report.

**E. Streets and Drainage Committee** – Councilmember Rouse

No report.

**F. Building Official** –Evan DuVall, Assistant Building Official

Evan DuVall discussed the following:

- Memorial High School – The new high school building has passed all their building inspections and has received a temporary certificate of occupancy. The bus loop will begin with the demolition of older buildings when the new student building is occupied. The City Forester has been meeting with the school district’s contractor to ensure the tree plan is being followed. The two traffic lights on Echo Lane have been adjusted to be timed to be in sync together. The City is getting quotes to repair a damaged loop sensor.
- A remodel for 8915 Gaylord Drive is currently underway. A building permit has been issued for 9412 Gaylord #C and construction is underway. DSW Shoe Warehouse submitted plans for a remodel of their retail space.
- Two new residences are under plan review.

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

No report.

**H. City Administrator – Monthly Update – Kelly Johnson, City Administrator**

Kelly Johnson discussed the following:

- The filing period to file for a place on the May 7, 2022 ballot is January 19, 2022 through February 18, 2022 at 5:00 p.m. Council positions #2, #3, and #4 are up for re-election.
- Terry Vick, City maintenance supervisor, inspected a possible sink hole on Cawdor Way. During the inspection he located several more street issues on Magdalene Drive, Skene Way, and Spriggs Way.
- Texas Municipal League (TML) informed the City of an increase in cyber crime. The City may look into increasing the cyber crime coverage the City has through TML.

**I. Mayor – Monthly Report – Mayor Tom Jinks**

Mayor Jinks discussed the following:

- City Council will consider proposed changes to the tree ordinance.
- Welcome packets were delivered to four new residents that have moved into the City.
- William Johnson, Hedwig Village Alternate Fire Commissioner, has decided to retire as the Alternate Fire Commissioner.

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

- A.** An Ordinance of the City Council of the City of Hedwig Village, Texas providing for the holding of a General Election to be held on May 7, 2022, for the purpose of electing three (3) Council Members and providing details relating to the holding of such election.

Councilmember Rouse asked for clarification on changes to the state election laws pertaining to early voting. Lisa Modisette, Assistant City Secretary, stated the state election laws no longer require the City to have two (2) twelve (12) hour days during the early voting period. The City, instead, must remain open for nine (9) hours for early voting every weekday during the early voting period.

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

**MOTION CARRIED UNANIMOUSLY**

- B.** An Ordinance of the City Council of the City of Hedwig Village, Texas amending Chapter 14, Buildings and Building Regulations, Article VII, Trees, Sections 14-242, Definitions, and 14-243, Permits, of the Hedwig Village Code of Ordinances, to further protect heritage trees and further clarify tree requirements within the City of Hedwig Village, Texas.

Evan DuVall, Assistant building Official, reviewed the proposed changes to the tree ordinance. The proposed changes are as follows:

- Proposed minimum tree density will require seven protected trees with an additional tree for every 2,000 square feet over 22,500 square feet. The Tree

Ordinance currently requires seven trees per lot and that requirement would not change.

- Proposed definition for required minimum density (RDM). The proposed definition would account for trees on the property over four caliper inches and are rated “good”.
- Proposed definition of Heritage Tree which would include any tree that is twenty four inches diameter at breast height (DBH) or bigger.
- Add a tree removal fee schedule.
- Proposed definition and correction of language of large replacement tree and includes a list of approved replacement trees.
- Proposed planting of trees in the right-of-way to meet the required minimum density.

Councilmembers suggested additional changes to the proposed tree ordinance as follows:

- Add language to require approval for tree planting from the City Administrator, or designee, Memorial Village Water Authority, and any public utility companies with infrastructure in the right of way.
- Add language to include drainage systems in the irrigation system section. Remove language from definition of “serious tree damage” as pertains to drainage installation.
- Correction to the language pertaining to the exceptions to the tree removal fees.

The City is required by state law to offer an alternate location to plant trees outside the property line.

Motion was made by Councilmember Johnson and seconded by Councilmember Rouse to approve the ordinance as amended by the Building Official and City Council. Motion carried 5-0.

**MOTION CARRIED UNANIMOUSLY**

- C.** A Resolution of the City Council of the City of Hedwig Village, Texas creating tree removal fees for new construction, pools, and additions within the City of Hedwig Village, Texas; repealing all or parts of other fee schedules inconsistent or in conflict herewith.

Evan DuVall, Assistant Building Official, reviewed the proposed tree removal fees. The proposed fees are as follows:

- Removal of trees ten inches DBH to under twenty four inches DBH - \$1,000 per tree
- Removal of trees greater than twenty four inches DBH - \$2,000 per tree
- Removal of trees ten DBH inches or greater without permit or not on the tree disposition plan - \$5,000 per tree
- Removal of trees over twenty four inches DBH and not on the tree disposition plan - \$7,000 per tree

- Correction to language in the tree removal fee schedule.

The tree removal fees would apply only to new construction, additional square footage, and pools if the tree is healthy and not within the footprint of the main structure or pool. The fee would not apply if a tree needed to be removed due to its location inside the footprint of the proposed main structure. The fee would not be required if a tree was removed that was healthy but there was no construction, however, the minimum tree density requirement would have to be met.

Councilmembers discussed the possibility of adding a tier to the tree removal schedule as follows:

- Trees ten inches DBH to under twenty four inches DBH - \$2,500.
- Trees greater than twenty four inches DBH - \$5,000.
- \$1,000 per inch DBH over twenty four inches DBH.
- Fee for removal of trees not on the tree disposition plan

Councilmember Rouse discussed the drainage and water retention benefits to keeping large heritage trees.

Motion was made by Councilmember Johnson and seconded by Councilmember Folloder to approve the Resolution as amended by City Council. Motion carried 5-0.

**MOTION CARRIED UNANIMOUSLY**

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

- A.** Discussion and possible action regarding rescinding the moratorium on the permitting of the removal of trees within the City.

Motion was made by Councilmember Johnson and seconded by Councilmember Folloder to approve rescinding the tree removal moratorium. Councilmember Rouse opposed. Motion carried 4-0.

**MOTION CARRIED**

**7. 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**

December 9, 2021 Joint Public Hearing  
December 9, 2021 Regular Council Meeting  
December 14, 2021 Special Council Meeting

**B. Approval of General Fund Bills**

General Fund Bills

Voided Checks – one

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

Accuclean Cleaning Svcs - \$3,938.35	Accutek - \$4,037.50
City of Bunker Hill Village - \$3,909.34	Johnson Petrov - \$4,683.01
LJA Engineering, Inc. - \$3,132.47	Srvc Pros LLC - \$3,600.00
Tyler Technologies, Inc. - \$14,050.63	Wells Fargo credit card. - \$3,987.97

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

**MOTION CARRIED UNANIMOUSLY**

**8. CLOSED SESSION**

**A.** As authorized by Section 551.074, Personnel Matters, to discuss matters relating to City personnel.

City Council adjourned into Closed Session at 9:01 p.m.

City Council re-convened into Open Session at 9:44 p.m.

**9. ACTION – CLOSED SESSION**

There was no action taken.

**10. ADJOURN**

Motion was made by Councilmember Johnson and seconded by Councilmember Folloder to adjourn the meeting at 9:45 p.m. Motion carried 5-0.

**MOTION CARRIED UNANIMOUSLY**

Approved and accepted on February 10, 2022.

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
Tom Jinks, Mayor

\_\_\_\_\_/s/\_\_\_\_\_  
Lisa Modisette, Asst. City Secretary