

**REGULAR MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
MONDAY, AUGUST 26, 2024**

**MINUTES**

**Call to Order**

Mayor Clark called the meeting to order at 6:01 p.m.

**Roll Call**

The following members were present:

Mayor Lynn Clark  
Mayor Pro Tem Paul Kenney  
Councilmember Randy Gibbons  
Councilmember Nick Wohr  
Councilmember Chris Gordon  
Councilmember Ian Theodore

Also in attendance:

John M. Smith, Jr., Town Manager  
Kristi K. Rogers, Town Secretary  
Carey Dunn, Chief of Police  
Trey Sargent, Town Attorney

**Pledge of Allegiance to the U.S. And Texas Flags**

Mayor Clark led the Pledge of Allegiance to the U.S. and Texas Flags.

**Invocation**

Councilmember Theodore gave the invocation.

**Proclamations**

1. September 2024 as "Library Card Sign-Up Month"

Mayor Clark proclaimed September 2024 as "Library Card Sign-Up Month" in the Town of Hickory Creek. Serene Prat and Christi Kulesza accepted the proclamation on behalf of Friends of the Lake Dallas Library.

2. September 2024 as "Live United Month"

Mayor Clark proclaimed September 2024 as "Live United Month" in the Town of Hickory Creek. Frank Dixon, Micah Tannery, Michael Ingle and Gary Henderson accepted the proclamation on behalf of United Way of Denton County.

**Items of Community Interest**

CoServ will host the Lake Cities Chamber Networking Coffee on August 28, 2024 and an American Red Cross Blood Drive on September 11, 2024, at CoServ headquarters in Corinth.

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Lake Cities Chamber of Commerce Business Mixer will be held on August 29, 2024 from 5:00 p.m. to 7:00 p.m. at Angelina's in Hickory Creek.

Lake Cities Chamber of Commerce will hold the 4th Annual "Rolling into Fall" Bicycle Rally on September 28, 2024 from 7:30 a.m. to 1:00 p.m.

The "9/11 Walk of Remembrance" will be held on September 8, 2024 at 6:30 p.m. to honor and remember all who perished on September 11, 2001.

Thousand Hills Church in Hickory Creek will host Fall Fest on October 26, 2024 from 9:00 a.m. to 3:00 p.m.

### **Public Comment**

Ron Furtick, 1500 Turbeville Road, stated the Town Council has him in executive session again to talk about suing him. He had what he thought was a great meeting with John Smith and Randy Gibbons. They talked about the future, widening the road and zoning. He has been trying to get zoning for 15 years. He walked away from the meeting thinking progress was made. He received a letter today stating the Town is accelerating the septic issue. From his perspective, the tickets he is receiving from the Town on a weekly basis, is to put him out of business. He wants to install sewer on the property and has had an engineer working on a sewer line design for the last six months. The design has been submitted to Lake Cities Municipal Utility Authority. He is unable to put the project out to bid until he has a final set of plans and then construction could take six to eight months. Nothing was ever done with the zoning, so he has not attended trade shows or contacted developers in the last seven years. He was excited to get started again to help the Town by sitting down to discuss the future and negotiate easements to widened the road. The Town Council needs to make a decision to either work together or beat on him and put him out of business.

### **Consent Agenda**

3. July 2024 Financial Statements
4. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas designating the Denton Record Chronicle as the official newspaper for the Town of Hickory Creek, Texas.

Motion made by Councilmember Gibbons to approve the consent agenda as presented,  
Seconded by Councilmember Theodore.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Woehr,  
Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

### **Regular Agenda**

5. Conduct a public hearing regarding the 2024-2025 Town of Hickory Creek Fiscal Year Budget.

Mayor Clark called the public hearing to order at 6:18 p.m. With no one wishing to speak, Mayor Clark closed the public hearing at 6:19 p.m.

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6. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek adopting and approving the budget for the fiscal year beginning October 1, 2024 and ending September 30, 2025; providing for expenditure of funds, providing for filing of budget and ordinance.

John Smith, Town Manager, and Kristi Rogers, Town Secretary, answered questions from the Town Council.

Motion made by Councilmember Theodore to approve an ordinance of the Town Council of the Town of Hickory Creek adopting and approving the budget for the fiscal year beginning October 1, 2024 and ending September 30, 2025; providing for expenditure of funds, providing for filing of budget and ordinance, Seconded by Mayor Pro Tem Kenney.

A roll call vote was taken. Councilmember Gibbons voted yea, Councilmember Wohr voted yea, Councilmember Gordon voted yea, Mayor Pro Tem Kenney voted yea, Councilmember Theodore voted yea. Motion passed unanimously.

### **Executive Session**

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 6:28 p.m. to discuss the following matters.

#### **Section 551.071**

Consultation with Attorney on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, or on matters pertaining to pending or contemplated litigation.

7. Discussion regarding Denton CAD Property ID# 62326.

### **Reconvene into Open Session**

The Town Council reconvened into open session at 7:56 p.m.

8. Discussion and possible action regarding matters discussed in executive session.

Motion made by Councilmember Theodore to authorize the Town Manager to retain legal counsel to investigate and pursue action on Health and Safety Code Subtitle B violations located on Denton CAD Property ID# 62326, Seconded by Councilmember Wohr.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

### **Future Agenda Items**

The following items were requested: Pavlov status update, tree ordinance and tree mitigation.

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**Adjournment**

Motion made by Mayor Pro Tem Kenney to adjourn the meeting, Seconded by Councilmember Theodore.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

The meeting did then stand adjourned at 7:58 p.m.

Approved:

Attest:

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Lynn C. Clark, Mayor  
Town of Hickory Creek

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Kristi K. Rogers, Town Secretary  
Town of Hickory Creek