

**REGULAR MEETING OF THE TOWN COUNCIL
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
MONDAY, SEPTEMBER 25, 2023**

MINUTES

Call to Order

Mayor Clark called the meeting to order at 6:00 p.m.

Roll Call

The following members were present:

Mayor Lynn Clark

Mayor Pro Tem Paul Kenney

Councilmember Randy Gibbons

Councilmember Richard DuPree

Councilmember Ian Theodore

The following member was absent:

Councilmember Chris Gordon

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 Gibbons gave the invocation.

Items of Community Interest

There were no items of community interest.

Public Comment

There were no speakers for public comment.

Consent Agenda

1. August 2023 Council Meeting Minutes
2. August 2023 Financial Statements
3. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas, amending the Code of Ordinances of the Town of Hickory Creek, Texas, Chapter 8: Offences and Nuisances, by repealing Article 8.07: Minors.

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4. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas, amending the Code of Ordinances of the Town of Hickory Creek, Texas, Chapter 3: Building Regulations, by amending Article 3.12: Solar Panel Standards.
5. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, hereby authorizing the Mayor of the Town of Hickory Creek, Texas, to execute an interlocal cooperation agreement with the Denton County Criminal District Attorney's Office for seizure and forfeited contraband.
6. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, hereby authorizing the Mayor of the Town of Hickory Creek, Texas, to execute an agreement by and between the Town of Hickory Creek, Texas and Build by I-Codes concerning building inspection services.
7. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, hereby authorizing the Mayor of the Town of Hickory Creek, Texas, to execute an agreement by and between the Town of Hickory Creek, Texas and Finney Code Consultants, LLC concerning plan review services.
8. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, hereby authorizing the Mayor of the Town of Hickory Creek, Texas, to execute an agreement between the Town of Hickory Creek, Texas and a police recruit concerning police academy sponsorship.

Motion made by Councilmember DuPree to approve consent agenda items 2-8 as presented, Seconded by Councilmember Gibbons.

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

Regular Agenda

9. Conduct a public hearing to receive public input regarding adoption of the Comprehensive Plan Update 2023 and consider and act on an ordinance adopting the same.

John Smith, Town Manager, provided an overview of the public input received regarding the Comprehensive Plan at the Planning and Zoning Commission meeting held on September 19, 2023.

Raul Orozco, Halff Associates, provided an overview to the Town Council regarding the engagement timeline, draft plan reviews, final plan outline which includes Chapter 1: Hickory Creek Today, Chapter 2: Community Vision, Chapter 3: Growing with Purpose, Chapter 4: Realizing the Vision and answered questions from the Town Council.

Mayor Clark called the public hearing to order at 6:28 p.m.

Ron Furtick, 1500 Turbeville Road, stated he cannot help with developing the town when he is limited to speak three minutes each month. He is confused with aspects of the Comprehensive Plan because he has not had the opportunity to ask questions or participate.

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He doesn't understand why apartments would be built on a major retail location or why the property he owns is considered a neighborhood village. He cannot utilize the current zoning on the property and has spent two decades trying to obtain zoning that would allow him to develop the property. He pleaded with the Town Council to implement the plan and move forward instead of doing nothing which is driving him bonkers.

With no one else wishing to speak, Mayor Clark closed the public hearing at 6:31 p.m.

Motion made by Councilmember Gibbons to approve an ordinance adopting the Comprehensive Plan Update 2023. Seconded by Councilmember Theodore.

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

10. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, approving amendments to the Town of Hickory Creek Personnel Policy Manual.

John Smith, Town Manager, provided an overview of the amendments to the personnel policy manual and answered questions from the Town Council.

Motion made by Councilmember Theodore to approve a resolution of the Town Council of the Town of Hickory Creek, Texas, approving amendments to the Town of Hickory Creek Personnel Policy Manual, Seconded by Mayor Pro Tem Kenney.

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

11. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, hereby ratifying agreements between the Town of Hickory Creek and Superior Automotive Group for emergency purchase of police vehicles.

Motion made by Councilmember DuPree to approve a resolution ratifying the purchase of two police vehicles, Seconded by Councilmember Gibbons.

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

12. Consider and act on receipt of budget from Chief Carey Dunn for expenditure of forfeiture funds.

Chief Cary Dunn provided an overview of the budget for expenditure of forfeiture funds and answered questions from the Town Council.

Motion made by Mayor Pro Tem Kenney to approve receipt of budget from Chief Carey Dunn for expenditure of forfeiture funds, Seconded by Councilmember DuPree.

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

Executive Session

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 7:09 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.

Section 551.072

Deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.073

Deliberate a negotiated contract for a prospective gift or donation to the governmental body.

Section 551.087

Deliberation regarding Economic Development Negotiations, to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the government body seeks to have locate, stay or expand in or near the territory of the government body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

13. Real property generally located, South of FM 2181, West of Ronald Reagan Avenue and East of Parkridge.

Reconvene into Open Session

The Town Council reconvened into open session at 7:42 p.m.

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

No action taken.

Future Agenda Items

There were no future agenda items.

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 DuPree, Councilmember Theodore. Motion passed unanimously.

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The meeting did then stand adjourned at 7:43 p.m.

Approved:

Attest:

Lynn C. Clark, Mayor
Town of Hickory Creek

Kristi K. Rogers, Town Secretary
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