

**SPECIAL MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
MONDAY, DECEMBER 20, 2021**

**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

Councilmember Randy Gibbons

Councilmember Richard DuPree

Councilmember Chris Gordon

Mayor Pro Tem Paul Kenney

Councilmember Ian Theodore

Also in attendance:

John M. Smith, Jr., Town Administrator

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 Randy Gibbons gave the invocation.

**Items of Community Interest**

Thanks to town staff for planning and executing the 2021 Tree Lighting held on December 2, 2021.

Thanks to the following individuals who participated with Mayor Lynn Clark in the Salvation Army Mayors Red Kettle Challenge: Jan Bowman, Kyle Knop, Gwen McIntosh, Geoff McIntosh, Bruce Enriquez, Lisa Rowell, Jaycee Holston, Dr. Mike Rockwood, Ben De Boef, Dan Conrad, Matt Friess, Randy Gibbons, John Smith, Bob Clark, Sergeant Mike Miller, Officer Bob Theriault, Office Jim Zehetner and Cameron Gibbons. Mayor Clark and the volunteers raised \$3,047.

**Public Comment**

There were no speakers for public comment.

**Town of Hickory Creek**

**December 20, 2021**

**Page 2**

**Executive Session**

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 6:06 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.

1. Concerning Town of Hickory Creek Personnel Policy Manual
2. Substandard Housing Policy
3. Regular Agenda Item 11- Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Code of Ordinances of the Town of Hickory Creek, Texas, by creating Chapter 15, Short Term Rentals.

**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.

3. Economic development agreement related to property located at 1851 Turbeville Road

**Reconvene into Open Session**

The Town Council reconvened into open session at 7:51 p.m.

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

**Consent Agenda**

5. November 2021 Council Meeting Minutes
6. November 2021 Financial Statements
7. 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.

**Town of Hickory Creek**

**December 20, 2021**

**Page 3**

Motion made by Councilmember Gordon to approve consent agenda items 5-7, Seconded by Councilmember Theodore.

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

**Regular Agenda**

8. Conduct a public hearing regarding a request for a Special Use Permit from Drake & Hen LLC. on behalf of AWS Boats for a pro shop, showroom, dealership offices and service center for the display and sales of boats and accessories in the 700 block of Lake Dallas Drive and consider and act on the same. The property is legally described as A0284A Cobb, Tract 56, A0284A Cobb, Tract 55, 58, and A0284A Cobb, Tract 57(PT), Town of Hickory Creek, Denton County, Texas.

Jack Reichenstein, representing Drake and Hen LLC. and Lee Williams, representing AWS Boats, provided an overview of the development, the special use permit request and answered questions from the town council.

Mayor Clark called the public hearing to order at 8:13 p.m. With no one wishing to speak, the public hearing was closed at 8:13 p.m.

Motion made by Councilmember Gordon to approve the request for a Special Use Permit from Drake & Hen LLC. on behalf of AWS Boats for a pro shop, showroom, dealership offices and service center for the display and sales of boats and accessories in the 700 block of Lake Dallas Drive as discussed to include 80% masonry excluding glass, Seconded by Mayor Pro Tem Kenney.

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

9. Consider and act on granting an exception to Founders Classical Academy, 800 Point Vista Road, Hickory Creek, Texas 75065, from the Hickory Creek Code of Ordinances Chapter 3: Building Regulations, Article 3.08 Signs; Section 3.08.010(b).

Motion made by Mayor Pro Tem Kenney to approve granting an exception to Founders Classical Academy, 800 Point Vista Road, Hickory Creek, Texas 75065, from the Hickory Creek Code of Ordinances Chapter 3: Building Regulations, Article 3.08 Signs; Section 3.08.010(b), Seconded by Councilmember Theodore.

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

10. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas, amending Chapter 1: General Provisions, Article 1.07, Boards and Commissions; providing for incorporation of premises; providing findings; providing for amendment to the Code of Ordinances.

**Town of Hickory Creek**

**December 20, 2021**

**Page 4**

Motion made by Councilmember Gibbons to approve an ordinance of the Town Council of the Town of Hickory Creek, Texas, amending Chapter 1: General Provisions, Article 1.07, Boards and Commissions; providing for incorporation of premises with the modification of Section 1.07.057 to exclude the word personal from the paragraph, Seconded by Councilmember Gordon.

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

11. Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Code of Ordinances of the Town of Hickory Creek, Texas, by creating Chapter 15, Short Term Rentals.

Item 11 was discussed during Executive Session and discussed further during open session.

No action taken.

12. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, adopting a master application and fee schedule; and providing an effective date.

No action taken.

13. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, authorizing the Mayor of the Town of Hickory Creek, Texas, to execute an agreement between the Town of Hickory Creek, Texas, the City of Corinth, the City of Lake Dallas and the Town of Shady Shores, Texas concerning consulting services to evaluate broadband service providers.

Motion made by Councilmember Theodore to approve a resolution authorizing the Mayor of the Town of Hickory Creek, Texas, to execute an agreement between the Town of Hickory Creek, Texas, the City of Corinth, the City of Lake Dallas and the Town of Shady Shores, Texas concerning consulting services to evaluate broadband service providers, Seconded by Mayor Pro Tem Kenney.

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

14. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, authorizing the Mayor to execute an agreement between the Town of Hickory Creek and the Kandutsch Law Office concerning legal services.

Motion made by Councilmember Gordon to approve a a resolution of the Town Council of the Town of Hickory Creek, Texas, authorizing the Mayor to execute an agreement between the Town of Hickory Creek and the Kandutsch Law Office concerning legal services, Seconded by Councilmember Theodore.

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

## **Town of Hickory Creek**

**December 20, 2021**

**Page 5**

15. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, authorizing the Mayor of the Town of Hickory Creek, Texas, to execute an agreement concerning citizen notification systems.

John Smith, Town Administrator, provided an overview of various citizen notification systems 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, authorizing the Mayor of the Town of Hickory Creek, Texas, to execute an agreement concerning citizen notification systems with GoGov for 12 months in an amount not to exceed \$4,800.00, Seconded by Councilmember DuPree. Voting Yea: Councilmember Gibbons, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney, Councilmember Theodore. Motion passed unanimously.

16. Consider and act on an appointment to the Economic Development Corporation

Motion made by Councilmember Gibbons to appoint Bruce Enriquez to the Economic Development Board, Place 2 with a term expiring December 2022, Seconded by Councilmember Gordon.

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

17. Consider and act on appointing councilmembers as liaisons for various boards and commissions.

Councilmember Gibbons, Planning and Zoning; Mayor Pro Tem Kenney, EDC and Councilmember Theodore, Board of Adjustments.

Motion made by Councilmember Gordon to appoint councilmembers as liaisons for various boards and commissions as discussed in item 17, Seconded by Councilmember DuPree.

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

18. Presentation and discussion regarding emergency preparedness.

John Smith, Town Administrator, provided an overview to council regarding plans in place and equipment purchased to prepare for future emergencies.

### **Future Agenda Items**

The following item was requested: Golf cart paths.

### **Adjournment**

Motion made by Councilmember Theodore to adjourn the meeting, Seconded by Councilmember Gibbons.

**Town of Hickory Creek**

**December 20, 2021**

**Page 6**

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

The meeting did then stand adjourned at 9:30 p.m.

Approved:

Attest:

---

Lynn C. Clark, Mayor  
Town of Hickory Creek

---

Kristi K. Rogers, Town Secretary  
Town of Hickory Creek