

**SPECIAL MEETING OF THE TOWN COUNCIL
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
MONDAY, DECEMBER 18, 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 Chris Gordon

Councilmember Ian Theodore

The following member was absent:

Councilmember Richard DuPree

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.

Presentation of Awards

1. Ceremonial Oath of Office and Presentation of Badge to Officer Derek Thacker.

Chief Dunn administered the Oath of Office to Officer Derek Thacker.

Proclamations

2. Denton County Commissioners Court Proclamation celebrating the 60th Anniversary of the Town of Hickory Creek

Mayor Clark read the Denton County Commissioners Court Proclamation celebrating the 60th Anniversary of the Town of Hickory Creek.

Items of Community Interest

Thanks to town staff for planning and executing an amazing event, Holiday in the Park, held December 1, 2023.

Mayor Clark and a team of volunteers raised \$3,579.00 ringing the bell for the Salvation Army Mayors Red Kettle Challenge held Saturday, December 9, 2023.

Public Comment

Linda Figart, 199 Country Lane, stated she currently does not have an attorney engaged. During the Halff presentation at the last council meeting, council could see for the first time the Town is planning a road expansion on her private property. There are portions of her property the Town has indicated they would claim utilizing prescriptive use and she urges the Town to go to court and perfect that before pouring expensive concrete. An additional portion of her property does not fall under possible prescriptive easement which the Town needs for the road expansion. She and her husband would like to sell an easement to the Town at a very reasonable rate. She urges the Town Council not to allow the taking of private property for public use for free.

Consent Agenda

3. November 2023 Council Meeting Minutes
4. November 2023 Financial Statements
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 amendment to an interlocal agreement between the Town of Hickory Creek, Texas and the City of Corinth concerning animal shelter services.
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 concerning issuance of license to MDM, Charters, Inc.
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 and RS2 Hospitality Group, Inc. concerning lease of Town property for office space.

Motion made by Councilmember Gordon to approve consent agenda items 3-7 as presented, Seconded by Councilmember Theodore.

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

Regular Agenda

8. Interview for Arts and Culture Board Place 7 and consider and act on an appointment.

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The Town Council interviewed Chandra Govite for the Arts and Culture Board.

Motion made by Councilmember Theodore to appoint Mr. Govite to the Arts and Culture Board, Seconded by Mayor Pro Tem Kenney.

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

9. Consider and act on a preliminary plat of the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181.

John Smith, Town Manager, and Bryan Burger, Burger Engineering, provided an overview of the Chick-Fil-A project and answered questions from the Town Council.

Motion made by Mayor Pro Tem Kenney to approve a preliminary plat of the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181., Seconded by Councilmember Theodore.

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

10. Consider and act on a site and landscape plan of the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181.

John Smith, Town Manager, provided an overview of the site and landscape plan.

Motion made by Councilmember Gordon to approve a site and landscape plan of the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181, Seconded by Mayor Pro Tem Kenney.

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

11. Consider and act on a final plat of the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181.

Brad Slate, Owner/Operator of Chick-Fil-A, provided an overview of the new location and answered questions from the Town Council.

Motion made by Mayor Pro Tem Kenney to approve a final plat of the Lakesound Addition, Block A, Lot 2: being 2.3575 acres out of the H.H. Swisher Survey - Abstract No. 1220, Town of Hickory Creek, Denton County Texas. The property is located at 3550 FM 2181, Seconded by Councilmember Theodore.

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

12. 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: Offenses and Nuisances, by amending Article 8:08: Firearms.

John Smith, Town Manager, provided an overview of the amendment due to a request from the Corps of Engineers and answered questions from the town council.

Motion made by Councilmember Gordon to approve 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: Offenses and Nuisances, by amending Article 8:08: Firearms, Seconded by Councilmember Gibbons.

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

13. Consider and act on allocating funds for spray foam installation in the town hall facility.

No action taken.

Executive Session

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 6:52 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.

14. Deliberate the purchase, exchange, lease or value of real property located generally in northwest Hickory Creek.

Reconvene into Open Session

The Town Council reconvened into open session at 7:24 p.m.

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

Motion made by Councilmember Gordon to approve that the Town Administrator has the ability to negotiate an offer for real property as discussed in executive session, Seconded by Councilmember Theodore.

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

Future Agenda Items

The following items were requested: allocating funds for spray foam installation and an update regarding broadband.

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 Gordon, Councilmember Theodore. Motion passed unanimously.

The meeting did then stand adjourned at 7:25 p.m.

Approved:

Attest:

Lynn C. Clark, Mayor
Town of Hickory Creek

Kristi K. Rogers, Town Secretary
Town of Hickory Creek