

**SPECIAL MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
MONDAY, MAY 15, 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 Chris Gordon

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**

Denton County Commissioner Bobbie J. Mitchell gave the invocation.

**Presentation of Awards**

1. 2022 Business of the Year.

Mayor Clark presented the 2022 Business of the Year award to Angelina's Don Louis' Mexican Restaurant.

2. 2022 Citizen of the Year.

Mayor Clark presented the 2022 Citizen of the Year award to Freddy Calvert.

3. 2023 Female Athlete of the Year.

Mayor Clark presented the 2023 Female Athlete of the Year award to Camryn Richardson.

4. 2023 Male Athlete of the Year.

Mayor Clark presented the 2023 Male Athlete of the Year award to Christian Willis.

## **Town of Hickory Creek**

**May 15, 2023**

**Page 2**

### 5. 2023 Scholars of the Year.

Mayor Clark presented the 2023 Founders Classical Academy Scholar of the Year award to Victoria Valderrey and the 2023 Lake Dallas Scholar of the Year award to Hannah Knop.

### **Proclamations**

### 6. Motorcycle Safety and Awareness

Mayor Clark proclaimed May 2023 as Motorcycle Safety & Awareness Month in the Town of Hickory Creek.

### **Items of Community Interest**

The Parks and Recreation Board will host a Summer Bash Clean Up at Sycamore Bend Park on Saturday, June 3, 2023, 9:00 a.m. to 12:00 p.m.

Thanks to Hickory Creek Animal Services staff ,Corinth Veterinary Clinic and volunteers, who participated in the low-cost vaccination clinic held April 29, 2023.

Peace Officer Memorial Day observed on May 15, 2023. National Police Week observed May 14, 2023 through May 20, 2023.

### **Public Comment**

There were no speakers for public comment.

### **Consent Agenda**

7. March 2023 Council Meeting Minutes.
8. March 2023 Financial Statements.
9. April 2023 Financial Statements.
10. 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 2: Animal Control authorizing collection of fees for disposal of animal carcasses.
11. Consider and act on an ordinance of the Town of Hickory Creek, Texas, allowing for the inclusion of area receiving longstanding treatment as part of the municipality pursuant to Section 41.003 of the Texas Local Government Code by making an uncontestable finding that all territory included within the Town of Hickory Creek for the preceding twenty years is part of the Town of Hickory Creek, Texas.
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 3: Building Regulations; by adopting a local amendment to the International Residential Code concerning allowed renovations with the Town; providing the Town Building Official the authority and power to enforce provisions of codes.

**Town of Hickory Creek**

**May 15, 2023**

**Page 3**

13. 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 10: Subdivision Regulations; by delegating plat approval authority to the Town Administrator.

Councilmembers Gibbons and Theodore requested item 13 to be pulled from the consent agenda for separate discussion.

Trey Sargent, Town Attorney, provided an overview of the ordinance and answered questions from the Town Council.

Motion made by Councilmember Theodore to approve item 13, Seconded by Councilmember Gordon.

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

14. 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 10: Subdivision Regulations by amending the Town's tree preservation ordinance.

Councilmember Theodore requested item 14 be pulled from the consent agenda for separate discussion.

John Smith, Town Administrator and Trey Sargent, Town Attorney, provided an overview of the ordinance and answered questions from the Town Council.

Motion made by Councilmember Theodore to approve the ordinance, Seconded by Mayor Pro Tem Kenney.

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

15. Consider and act on a resolution designating Angelina's Don Louis' Mexican Restaurant as the 2022 Business of the Year.

16. Consider and act on a resolution designating Freddy Calvert as the 2022 Citizen of the Year.

17. Consider and act on a resolution designating Camryn Richardson as the 2023 Female Athlete of the Year.

18. Consider and act on a resolution designating Christian Willis as the 2023 Male Athlete of the Year.

19. Consider and act on a resolution designating Victoria Valderrey as the 2023 Founders Classical Academy Scholar of the Year.

20. Consider and act on a resolution designating Hannah Knop as the 2023 Lake Dallas High School Scholar of the Year.

**Town of Hickory Creek**

**May 15, 2023**

**Page 4**

21. 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 agreement between the Town of Hickory Creek, Texas and Denton County, Texas concerning dispatch services.
22. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, nominating one candidate to a slate of nominees for the board of managers of the Denco Area 9-1-1 District.
23. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, hereby adopting a master application and fee schedule; and providing an effective date.
24. Consider and act on an amendment to the site and landscape plan for Alpha-Omega Hickory Creek Addition, Lot 1, Block A, 2.895 acres, 8560 S. Stemmons Freeway, situated in the Susan O. McCarroll Survey, Abstract No. 958, Town of Hickory Creek, Denton County, Texas.

Councilmember Gibbons requested item 24 be pulled from the consent agenda for separate discussion.

John Smith, Town Administrator, provided an overview of the site and landscape plan and answered questions from the Town Council.

Chris Morphew, owner of Reliant Construction, representing Alpha-Omega, answered questions from the town council.

Motion made by Councilmember Gibbons to approve item 24, Seconded by Councilmember Dupree.

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

25. Consider and act on an amendment to the final plat for Lake Dallas RV Park No.2, Lot 1A, Block 1, being a replat of Lot 1, Block 1, Lake Dallas RV Park No.2, an addition to the City of Hickory Creek, as recorded in Inst. No. 2022-457, P.R.D.C.T., situated in the Lowery Cobb Survey, Abstract Number 284, Town of Hickory Creek ETJ, Denton County Texas. The property is located in the 130 block of Folly Beach Road.
26. Consider and act on an amendment to the final plat for the Lakesound Addition, Lot 1, Block A in the H. Swisher Survey, Abstract No 1220, Town of Hickory Creek, Denton County Texas. The property is located in the 3400 block of FM 2181.

Councilmember Gibbons requested item 26 be pulled from the consent agenda for separate discussion.

John Smith, Town Administrator, provided an overview of the final plat and answered questions from the Town Council.

**Town of Hickory Creek**

**May 15, 2023**

**Page 5**

Motion made by Councilmember Gordon to approve an amendment to the final plat for the Lakesound Addition, Seconded by Mayor Pro Tem Kenney.

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

27. Consider and act on a final plat of Reserve at Hickory Creek, Block A, Lots 1-20, 21X; Block B, Lots 1-15, 16X; Block C, Lots 1-12, 13X; Block D, Lots 1-12, 13X; Block E, Lots 1-12, 13X; Block F, Lots 1-14, 15X; Block G, Lots 1-12, 13X; Block H, Lots 1-12, 13X; Block I, Lots 1-12, 13X; Block J, Lots 1-12, 13X; Block K, Lots 1-12, 13X; Block L, Lot 1X; Block M, Lots 1-20, 21X; Block N, Lots 1-20, 21X; Block O, Lots 1-20, 21X; Block P, Lots 1-20, 21X; Block Q, Lot 1X: 18.8530 acres, 225 residential lots, 17 open space lots, situated in the H.H. Swisher Survey, Abstract no. 1220, Town of Hickory Creek, Denton County, Texas.

Councilmember Gibbons requested item 27 be pulled from the consent agenda for separate discussion.

John Smith, Town Administrator, provided an overview of the final plat and answered questions from the Town Council.

Motion made by Councilmember Gibbons to approve item 27, Seconded by Councilmember Gordon.

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

Motion made by Councilmember DuPree to approve consent agenda items 1-12, 15-23 and 25 as presented, Seconded by Councilmember Theodore.

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

**Regular Agenda**

28. Presentation of Certificates of Election and Administration of Oaths of Office to candidates elected.

Mayor Lynn Clark presented Certificates of Election and administered Oaths of Office to Councilmember Randy Gibbons, Chris Gordon and Ian Theodore.

29. Interviews for various boards and commissions.

The Town Council interviewed Collin Johnson, Brenda Kihl and Jeff Tucker for various boards and commissions.

30. Discussion regarding partnership with UNT to house a telescope on Pratt Property.

John Grosskopf, Hickory Creek resident, provided an overview of the partnership with the University of North Texas including the type of telescope, infrastructure required to house the telescope, benefits to Hickory Creek and estimated timeframe of completion of project.

**Town of Hickory Creek**

**May 15, 2023**

**Page 6**

Mayor Clark called for a recess at 7:45 p.m.

Mayor Clark called the meeting back to order after the recess at 8:00 p.m.

31. Consider and act on appointments to the Arts and Culture Board.

Nick Aguilar, Place 1, Suzanne Ortolano, Place 3, William Brewer, Place 5.

Motion made by Councilmember Theodore to appoint members to the Arts and Culture Board as presented, Seconded by Mayor Pro Tem Kenney.

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

32. Consider and act on appointments to Board of Adjustments.

Joey Hernandez, Place 1, Jeff Tucker, Place 3, David Jones, Place 5, Smita Pascual, Alternate 1.

Motion made by Councilmember Gordon to approve appointments as presented, Seconded by Councilmember DuPree.

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

33. Consider and act on appointments to the Code of Ethics Board.

Councilmember Randy Gibbons would like to reappoint Jack Gwynne, Councilmember Chris Gordon would like to reappoint James Schultz and Councilmember Ian Theodore would like to reappoint Rick Carruth.

Motion made by Councilmember Gibbons to approve appointments as presented, Seconded by Councilmember Theodore.

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

34. Consider and act on appointments to the Parks and Recreation Board.

Nick Wohr, Place 1, William Wann, Place 3, Mandy Larkin, Place 5, Dinah Stults, Place 7.

Motion made by Councilmember DuPree to approve appointments as presented, Seconded by Mayor Pro Tem Kenney.

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

35. Consider and act on appointments to the Planning and Zoning Commission.

Dustin Jensen Place 1, Brenda Kihl, Place 3, Collin Johnson, Place 5, David Gilmore, Place 7.

Motion made by Councilmember Gibbons to approve appointments as presented, Seconded by Councilmember DuPree.

**Town of Hickory Creek**

**May 15, 2023**

**Page 7**

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

36. Consider and act on the 2023 Lake Cities 4th of July Celebration to be held on Saturday, July 1, 2023.

Motion made by Mayor Pro Tem Kenney to allocate funds in the amount of \$5,000 for the 2023 Lake Cities 4<sup>th</sup> of July Celebration to be held on Saturday, July 1, 2023 with details forthcoming, Seconded by Councilmember Theodore.

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

37. Consider and act on appointment of Mayor Pro Tem.

Motion made by Councilmember Theodore to appoint Paul Kenney, Mayor Pro Tem, Seconded by Councilmember DuPree.

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

38. Discussion regarding allowable uses of the Tree Restoration Fund.

Discussion was held regarding allowable uses of the Tree Restoration Fund.

39. Receive an update from John Smith, Town Administrator, regarding traffic signal at the intersection of FM 2181 and Parkridge Drive.

John Smith, Town Administrator, provided an overview regarding traffic signal at the intersection of FM 2181 and Parkridge Drive.

40. Receive update from Town Council board liaisons regarding activity of boards and commissions since the March council meeting and discuss same.

Variances heard by the Board of Adjustments recently include projects completed prior to the issuance of a permit. Discussion was held regarding possible solutions.

The animal services officers are doing an outstanding job. The low-cost vaccination clinic was a great success. The agreement with the City of Denton Animal Shelter allows the shelters to exchange animals if needed. Denton Animal Support Foundation provides the shelter with needed items.

Hickory Creek PD, Corinth PD and Lake Dallas PD will participate in increased I-35E traffic enforcement.

**Future Agenda Items**

The following item was requested: schedule the volunteer appreciation dinner.

**Adjournment**

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

**Town of Hickory Creek**

**May 15, 2023**

**Page 8**

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

The meeting did then stand adjourned at 8:55 p.m.

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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