

**REGULAR MEETING OF THE TOWN COUNCIL
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
MONDAY, JANUARY 24, 2022**

MINUTES

Call to Order

Mayor Pro Tem Kenney called the meeting to order at 6:00 p.m.

Roll Call

The following members were present:

Councilmember Randy Gibbons
Councilmember Richard DuPree
Councilmember Chris Gordon
Mayor Pro Tem Paul Kenney
Councilmember Ian Theodore

The following member was absent:

Mayor Lynn Clark

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 Pro Tem Kenney led the Pledge of Allegiance to the U.S. and Texas Flags.

Invocation

Councilmember Gibbons gave the invocation.

Presentation of Awards

1. Salvation Army Mayors Red Kettle Challenge

Salvation Army Mayors Red Kettle Challenge was not presented.

2. Ceremonial Oath of Office and Presentation of Badge to Sergeant William Townsend

Chief Dunn administered an Oath of Office to Sergeant William Townsend. The badge was presented to his wife for pinning.

Items of Community Interest

Mardi Gras Celebration will be held on Friday, February 25, 2022 at Lake Dallas City Hall from 5:00 p.m. to 9:00 p.m.

The animal shelter received a generous donation in the amount of \$2,020.

Chief Dunn introduced Officer Rachel Haynes who will serve as a reserve police officer.

A joint council session will be held on January 26, 2022 at 6:00 p.m. with the Town of Hickory Creek, City of Corinth, City of Lake Dallas and Town of Shady Shores regarding broadband services.

Public Comment

There were no speakers for public comment.

Consent Agenda

3. December 2021 Council Meeting Minutes
4. December 2021 Financial Statements
5. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas ordering an election to be held on May 7, 2022 for the purpose of electing a Mayor and Town Council Members to Place 2 and Place 4.

Motion made by Councilmember Gordon to approve consent agenda items 3-5 as presented, Seconded by Councilmember Theodore.

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

Regular Agenda

6. Consider and act on bids submitted for BID# 2022-01, Sycamore Bend Road.

Lee Williams, Halff Engineering, provided comments and answered questions from the town council. Halff Engineering reviewed the qualifications and references of the two apparent low bidders, DDM Construction Corporation and McMahon Contracting, LP. Based on references received regarding the contractors, McMahon Contracting should be awarded the bid.

Motion made by Councilmember Gordon to award BID# 2022-01, Sycamore Bend Road to McMahon Contracting in amount not to exceed \$4,019,000, Seconded by Councilmember DuPree.

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

7. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas, amending Chapter 1: General Provisions, Article 1.10, Parks and Recreation; Section 1.10.006, Fees for use; providing for incorporation of premises; providing findings; providing for amendment to the Code of Ordinances.

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Motion made by Councilmember Theodore to approve an ordinance of the Town Council of the Town of Hickory Creek, Texas, amending Chapter 1: General Provisions, Article 1.10, Parks and Recreation; Section 1.10.006, Fees for Use; providing for incorporation of premises; providing findings; providing for amendment to the Code of Ordinances, Seconded by Councilmember Gordon.

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

8. 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.

Motion made by Councilmember Gordon to approve 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, Seconded by Councilmember Gibbons. Voting Yea: Councilmember Gibbons, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney, Councilmember Theodore. Motion passed unanimously.

9. 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.

Motion made by Councilmember Gibbons to approve a resolution of the Town Council of the Town of Hickory Creek, Texas, adopting a master application and fee schedule, 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 appeal from the decision of the designated representative for a variance of Section 13.03.075 of the Town's Code of Ordinances adopting Title 30 Texas Administrative Code Chapter 285 regarding residential lot sizing. The legal description of the property is Harbor Grove Estates 1 BLK C Lot 15.

Motion made by Councilmember Theodore to approve a variance of Section 13.03.075 of the Town's Code of Ordinances adopting Title 30 Texas Administrative Code Chapter 285 regarding residential lot sizing. The legal description of the property is Harbor Grove Estates 1 BLK C Lot 15, Seconded by Councilmember DuPree.

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

11. 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 legal services in support of current broadband service provider evaluations.

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Motion made by Councilmember Gordon 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 between the Town of Hickory Creek, Texas, the City of Corinth, the City of Lake Dallas and the Town of Shady Shores, Texas concerning legal services in support of current broadband service provider evaluations, Seconded by Councilmember DuPree.

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

12. Presentation of the 2020-2021 Fiscal Year Audit from Carl Deaton of Hankins, Eastup, Deaton, Tonn & Seay.

Carl Deaton of Hankins, Eastup, Deaton, Tonn & Seay presented the audited financial statements for the fiscal year ending September 30, 2021. The assets and deferred outflows of resources of the Town of Hickory Creek exceeded its liabilities on September 30, 2021 by \$16,485,307. Of this amount \$5,261,624 may be used to meet the government's ongoing obligations to citizens and creditors. The Town's total net position increased by \$1,482,146 during the fiscal year from the results of current year operations. As of September 30, 2021, the Town of Hickory Creek's governmental funds reported combined ending fund balance of \$10,188,364, an increase of \$5,344,124 in comparison with the beginning of the period. Approximately 50 percent of this total amount, \$5,053,252 is available for spending at the government's discretion. At the end of the current period, unassigned fund balance for the general fund was \$5,053,252 or 103.16 percent of total general fund expenditures. The audit is required to include the activity of the Economic Development Corporation, Public Improvement District No. 1, Public Improvement District No. 2 and Hickory Farms Public Improvement District. The EDC total fund balance was \$2,151,253. The Public Improvement District No. 1 total fund balance was \$265,058. The Public Improvement District No. 2 total fund balance was \$452,777. Hickory Farms Public Improvement District total fund balance was \$691,579.

13. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, appointing members of the Building Standards Commission and providing an effective date.

Motion made by Councilmember Gordon to approve a resolution appointing Richard DuPree, Randy Gibbons, Chris Gordon, Paul Kenney and Ian Theodore to the Building Standards commission with a term of six months , Seconded by Councilmember Theodore. Voting Yea: Councilmember Gibbons, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney, Councilmember Theodore. Motion passed unanimously.

14. Discussion and update regarding the Lake Cities Broadband Committee recommendation.

Discussion was held regarding the Lake Cities Broadband Committee recommendation.

15. Discussion regarding annual awards.

Discussion was held regarding annual awards.

Future Agenda Items

The following items were requested: interlocal agreement with Lake Cities Municipal Utility Authority, speed limit and traffic control device discussion; sidewalk review; annual awards discussion and public safety update.

Adjournment

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

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

The meeting did then stand adjourned at 7:57 p.m.

Approved:

Attest:

Paul Kenney, Mayor Pro Tem
Town of Hickory Creek

Kristi K. Rogers, Town Secretary
Town of Hickory Creek