

**REGULAR MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
MONDAY, JUNE 26, 2023**

**MINUTES**

**Call to Order**

Mayor Clark called the meeting to order at 6:01 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**

Councilmember Theodore gave the invocation.

**Items of Community Interest**

Lake Cities 4th of July Celebration will be held on Saturday, July 1, 2023. The parade begins at 9:00 a.m. Family friendly activities and entertainment begin at 4:00 p.m. followed by fireworks at 9:00 p.m. There will be a band playing in the Thousand Hills Church parking lot from 6:30 p.m. until 8:30 p.m.

**Public Comment**

There were no speakers for public comment.

**Consent Agenda**

1. May 2023 Council Meeting Minutes
2. May 2022 Financial Statements
3. Consider and act on the 2023-2024 Hickory Creek Economic Development Corporation Budget.

## **Town of Hickory Creek**

**June 26, 2023**

**Page 2**

3. Consider and act on the 2023-2024 Hickory Creek Economic Development Corporation Budget.
4. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas approving the 2023 annual update to the service and assessment plan and assessment roll for Hickory Creek Public Improvement District No.1 including the collection of the 2023 annual installments.
5. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas approving the 2023 annual update to the service and assessment plan and assessment roll for Hickory Creek Public Improvement District No.2 including the collection of the 2023 annual installments.
6. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas approving the 2023 annual update to the service and assessment plan and assessment roll for Hickory Creek Farms Public Improvement District including the collection of the 2023 annual installments.
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 for Accurant Virtual Crime Center Subscriptions between the Town of Hickory Creek and LexisNexis Risk Solutions.

Motion made by Councilmember DuPree to approve items 1-7 as presented, Seconded by Councilmember Gibbons.

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

### **Regular Agenda**

8. Conduct a public hearing regarding an ordinance of the Town Council of the Town of Hickory Creek, Texas amending the Town's Code of Ordinances, Chapter 14: Zoning, Article VII: SF-1 Residential; Article VIII: SF-2 Residential; Article IX: SF-3 Residential; Article X: TH-1 Townhouse District and Article XII.5: GMH Garth Addition Mobile Home Single-Family Residential and consider and act on an ordinance for the same.

Mayor Clark called the public hearing to order at 6:06 p.m. With no one wishing to speak, the public hearing closed at 6:06 p.m.

John Smith, Town Administrator provided an overview of the amendment.

Motion made by Councilmember Theodore to approve agenda item 8, an ordinance of the Town Council of the Town of Hickory Creek, Texas amending the Town's Code of Ordinances, Chapter 14: Zoning, Article VII: SF-1 Residential; Article VIII: SF-2 Residential; Article IX: SF-3 Residential; Article X: TH-1 Townhouse District and Article XII.5: GMH Garth Addition Mobile Home Single-Family Residential as presented, Seconded by Councilmember Gordon.

**Town of Hickory Creek**

**June 26, 2023**

**Page 3**

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

9. Consider and act on a preliminary/final plat of the Metso Addition, Lot 1, Block A, 1.083 acres, being a 1.021 & 0.062 acres tracts situated in the Lowry Cobb Survey, Abstract Number 284, Town of Hickory Creek, Denton County, Texas. The property is located at 109 Timberlake Lane.

Motion made by Councilmember Gordon to approve a preliminary/final plat of the Metso Addition, Lot 1, Block A, 1.083 acres, being a 1.021 & 0.062 acres tracts situated in the Lowry Cobb Survey, Abstract Number 284as presented, Seconded by Councilmember DuPree.

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

10. 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 Denton County, Texas concerning Broadband Infrastructure.

John Smith, Town Administrator, provided an overview of the agreement.

Motion made by Councilmember Gordon to approve a resolution of the Town Council, authorizing the Mayor to execute an agreement between the Town of Hickory Creek, Texas and Denton County, Texas concerning Broadband Infrastructure, Seconded by Councilmember Theodore.

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

11. 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 FiberTex, LLC. concerning lease of Town property for staging in connection with construction of dark fiber network.

John Smith, Town Administrator provided an overview of the lease agreement.

Motion made by Mayor Pro Tem Kenney to approve 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 FiberTex, LLC. concerning lease of Town property for staging in connection with construction of dark fiber network, Seconded by Councilmember Theodore.

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

12. 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 the University of North Texas concerning use of a telescope.

John Smith, Town Administrator, provided an overview of the agreement with the University of North Texas concerning use of a telescope.

Motion made by Councilmember Gibbons to approve a resolution 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 and the University of North Texas concerning use of a telescope authorizing a signature on a substantially similar agreement, Seconded by Councilmember Theodore.

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

13. 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 for professional services by and between the Town of Hickory Creek and Half Associates, Inc. concerning GIS Mapping.

John Smith, Town Administrator, provided an overview of the agreement concerning GIS mapping.

Motion made by Councilmember Theodore to reject the resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement for professional services by and between the Town of Hickory Creek and Half Associates, Inc. concerning GIS Mapping, Seconded by Mayor Pro Tem Kenney.

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

14. Discussion regarding allocation of opioid settlement funds.

Discussion was held regarding allocation of opioid funds.

### **Executive Session**

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 6:43 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 551.074**

Personnel matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.

15. Review of individual employees' performance.

**Reconvene into Open Session**

The Town Council reconvened into open session at 8:45 p.m.

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

No action taken.

**Future Agenda Items**

The following item was requested: outdoor warning sirens.

**Adjournment**

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

Voting Yea: Councilmember Gibbons, Councilmember DuPree, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

The meeting did then stand adjourned at 8:47 p.m.

Approved:

Attest:

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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