

**SPECIAL MEETING OF THE TOWN COUNCIL
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
MONDAY, AUGUST 04, 2025**

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 Nick Wohr

Councilmember Ian Theodore

The following member was absent:

Councilmember Chris Gordon

Also in attendance:

John M. Smith, Jr., Town Manager

Kristi K. Rogers, Town Secretary

Carey Dunn, Chief of Police

Matthew C.G. Boyle, 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

Grand Opening for the amphitheater will be held in October.

Walmart held a Re-Grand Opening on August 1, 2025. Walmart presented the police department with a check in the amount of \$3,000.

Public Comment

John Grosskopf, 131 Oakwood Lane, stated during last week's town council meeting, he requested in writing to speak on three separate agenda items and was not called upon to speak on two of the items. He requested to be given time in a future town council meeting to address items from June 23, 2025, and July 28, 2025, council meetings and his written requests be preserved. In June's council meeting the town attorney ruled he was not allowed to speak for three minutes per agenda item despite the town ordinance expressly allowing it as well as the Texas Open Meetings Act public testimony provisions.

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He questions if the town attorney had jurisdiction over the matter at the time because he had not been sworn in. Members of the public find it interesting that the ordinance was changed to exclude the three minute per agenda item provision since he brought it up in the June council meeting. Over half of all town council, board and commission meetings have been cancelled dating back many months, making it much harder for citizens to know what is happening. Despite provisions allowing special called meetings, a number of special called meetings have been called for town council, board and commission meetings. Mr. Grosskopf has attended and spoken at several dozen meetings in the past eight years and only once has any of the town council members asked to meet with him to talk about his concerns.

Ron Furtick, 1500 Turbeville Road, stated he received an email from Halff Engineering that the plans submitted last year were approved for construction and he is in the process of getting bids. He was contractually granted pre-existing non-conforming use when he entered the town. He has not violated the ordinance in any way and the number of bedrooms in his park has not changed. By attempting to remove the pre-existing non-confirming use status, the Town eliminates his ability to retire from the income he relies on from the park. He takes that threat very seriously and will force him to take legal action. It appears the town's intention is to eliminate the park, forcing the tenants to be evicted and in some cases homeless. Making the park permanent seems like a crazy idea because the town needs high quality development which includes sit down restaurants, not drive-thrus. He met with the sidewalk contractor who is trying to purchase his park for pennies on the dollar in December. He expressed his fears to him about the town's lawsuit and was told the lawsuit would go away if he went under contract with him to purchase the land. Mr. Furtick has spent the last 30 years attempting to go through the process of creating a downtown for Hickory Creek and has failed. He doesn't want to fight. He has never fought council before and has always complied with the law. He only wants to help this town flourish economically.

Gloria Furtick, 1500 Turbeville Road, stated she does not understand why the Town is suing her and her husband. The town is using Hickory Creek citizens' tax dollars to pay for legal fees, and they are using their money to defend themselves. She would like to understand the purpose of the harassment and what result the Town wants. Is it a top notch Class A RV park, sell the land or to develop the land? She would like the town council to tell them, and issue zoning appropriate and specific to the use. She feels the speeches given by her, her husband, and Hickory Creek citizens are falling on deaf ears. What is the purpose of suppressing speech to three minutes? She requests a meeting with the Town Council to have an actual discussion which would help them understand what Town Council wants. The sidewalk contractor tried to purchase their land and stated he could make the lawsuit go away if they sold the land to him. Exactly whose authority does he make the statements?

Regular Agenda

1. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, proposing a tax rate which represents the No-New-Revenue tax rate for 2025; setting a date, time and place to adopt the 2025 tax rate.

Motion made by Mayor Pro Tem Kenney to approve a resolution of the Town Council of the Town of Hickory Creek, Texas, proposing a tax rate which represents the No-New-Revenue tax rate for 2025; setting the date as September 15, 2025, at 6:00 p.m. as presented, Seconded by Councilmember Theodore.

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

2. Discussion regarding the preliminary 2025-2026 Fiscal Year Budget.

Discussion was held regarding the preliminary 2025-2026 Fiscal Year Budget.

3. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas setting a date, time and place for a public hearing on the 2025-2026 Fiscal Year Proposed Budget; setting a date, time and place to adopt the budget.

Motion made by Councilmember Theodore to approve a resolution of the Town Council of the Town of Hickory Creek, Texas setting a date, time and place for a public hearing on the 2025-2026 Fiscal Year Proposed Budget; setting a date, time and place to adopt the budget for August 25, 2025 at 6:00 p.m., Seconded by Councilmember Gibbons.

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

Executive Session

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 6:19 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.

4. Discussion regarding Denton CAD Property ID# 62326.

Reconvene into Open Session

The Town Council reconvened into open session at 7:35 p.m.

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

No action taken.

Future Agenda Items

The following item was requested: rules of decorum.

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 Wohr, Councilmember Theodore. Motion passed unanimously.

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The meeting did then stand adjourned at 7:36 p.m.

Approved:

Attest:

Lynn C. Clark, Mayor
Town of Hickory Creek

Kristi K. Rogers, Town Secretary
Town of Hickory Creek