

**FIRST AMENDED
REGULAR MEETING OF THE TOWN COUNCIL
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
MONDAY, APRIL 25, 2022**

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

Councilmember Randy Gibbons

Councilmember Richard DuPree

Mayor Pro Tem Paul Kenney

The following member was absent:

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

Mayor Pro Tem Kenney gave the invocation.

Presentation of Awards

1. Life Saving Award

Chief Dunn presented Sergeant William Townsend with a Life Saving Award for his actions on April 11, 2022.

Proclamations

2. Motorcycle Safety and Awareness

Mayor Clark proclaimed May 2022 as Motorcycle Safety & Awareness Month in the Town of Hickory Creek.

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Items of Community Interest

Hickory Creek Animal Services will host a Low-Cost Vaccination Clinic on Saturday, May 7, 2022, from 10:00 a.m. until 1:00 p.m. at 970 Main Street, Hickory Creek, Texas 75065.

May 7, 2022, Joint, General & Special Elections early voting will be held April 25, 2022 – May 3, 2022.

May 24, 2022, Primary Runoff Election early voting will be held May 16, 2022 – May 20, 2022.

Public Comment

There were no speakers for public comment.

Consent Agenda

3. March 2022 Council Meeting Minutes
4. March 2022 Financial Statements
5. 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 the 2021 International Fire Code as published by the National Fire Protection Association, with local amendments, as amended by the Lake Cities Fire Department.
6. Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Town's Code of Ordinances, Chapter 12: Traffic and Vehicles: Article 12:06 Motorized Carts.
7. 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.
8. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, hereby ratifying an agreement between the Town of Hickory Creek and MDM, Inc. for a license to use the Town's boat ramp and dock.

Motion made by Councilmember DuPree to approve consent agenda items 3-8 as presented, Seconded by Councilmember Gibbons.

Voting Yea: Councilmember Gibbons, Councilmember DuPree, Mayor Pro Tem Kenney.

Motion passed unanimously.

Regular Agenda

9. Conduct a public hearing continued from March 28, 2022 regarding a request from David Palmer on behalf of the Weitzman Group to change the zoning description from C-1 Commercial to Planned Development on an 11.890 acre tract of land in the J.W. Simmons Survey, Abstract No. A1163A in the Town of Hickory Creek, Denton County Texas, and being legally described as part of the following tracts: Tract 34A, Tract 34C, Tract 35A (pt), and Tract 35A (2) and consider and act on an ordinance for the same.

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The property is located between the 1000 block of Hickory Creek Boulevard and the 8300 block of Stemmons Freeway.

Mayor Clark called the public hearing to order at 6:12 p.m.

Motion made by Councilmember Gibbons to keep the public hearing open and continue it to the May 23, 2022, Town Council Meeting, Seconded by Mayor Pro Tem Kenney.

Voting Yea: Councilmember Gibbons, Councilmember DuPree, Mayor Pro Tem Kenney.

Motion passed unanimously.

10. Consider and act on a preliminary plat of Jefferson Hickory Creek Lots 1 and 2, 13.6211 acres in the J.W. Simmons Survey, Abstract No. 1163, Town of Hickory Creek, Denton County Texas.

Motion made by Mayor Pro Tem Kenney to accept the request to withdraw the preliminary plat by the applicant, Seconded by Councilmember DuPree.

Voting Yea: Councilmember Gibbons, Councilmember DuPree, Mayor Pro Tem Kenney.

Motion passed unanimously.

11. Consider and act on a resolution of the Town Council for the Town of Hickory Creek Texas hereby authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement concerning issuance of a license to use the Town's boat ramp and dock to MDM, Inc.

Motion made by Mayor Pro Tem Kenney to approve a resolution authorizing the Mayor to execute an agreement concerning issuance of a license to use the Town's boat ramp and dock to MDM, Inc, Seconded by Councilmember DuPree.

Voting Yea: Councilmember Gibbons, Councilmember DuPree, Mayor Pro Tem Kenney.

Motion passed unanimously.

12. Consider and act on a resolution of the Town Council for the Town of Hickory Creek Texas hereby authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement concerning issuance of a license to use the Town's boat ramp and dock to WaterToyz, LLC.

Motion made by Mayor Pro Tem Kenney to approve a resolution authorizing the Mayor to execute an agreement concerning issuance of a license to use the Town's boat ramp and dock to WaterToyz, LLC.in amount of \$12,500.00 with an expiration date of October 15, 2022, Seconded by Councilmember DuPree.

Voting Yea: Councilmember Gibbons, Councilmember DuPree, Mayor Pro Tem Kenney.

Motion passed unanimously.

13. 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 amendment to 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 consulting services to evaluate broadband service providers.

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Motion made by Councilmember Gibbons to approve a resolution authorizing the Mayor 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 consulting services to evaluate broadband service providers, Seconded by Mayor Pro Tem Kenney. Voting Yea: Councilmember Gibbons, Councilmember DuPree, Mayor Pro Tem Kenney. Motion passed unanimously.

14. Consider and act on nomination of the 2021 Hickory Creek Business of the Year.

15. Consider and act on nomination of the 2021 Hickory Creek Citizen of the Year.

Motion made by Councilmember Gibbons to consider items 14 and 15 at the May 23, 2022, regular meeting, Seconded by Mayor Pro Tem Kenney. Voting Yea: Councilmember Gibbons, Councilmember DuPree, Mayor Pro Tem Kenney. Motion passed unanimously.

16. Consider and act on nomination of the 2022 Founders Classical Academy Hickory Creek Scholar of the Year.

17. Consider and act on nomination of the 2022 LDISD Hickory Creek Female Athlete of the Year.

18. Consider and act on nomination of the 2022 LDISD Hickory Creek Male Athlete of the Year.

19. Consider and act on nomination of the 2022 LDISD Hickory Creek Scholar of the Year.

Founders Classical Academy recommended Hayden Hiatt for Scholar of the Year, Lake Dallas High School recommended Jorja Elliott for Female Athlete of the Year, Brendan Sorsby for Male Athlete of the Year and Landry Billingsley for Scholar of the Year.

Motion made by Councilmember Gibbons to approve items 16, 17, 18 and 19 with the recommendations provided by each school, Seconded by Councilmember DuPree. Voting Yea: Councilmember Gibbons, Councilmember DuPree, Mayor Pro Tem Kenney. Motion passed unanimously.

20. Consider and act on allocating funds for an amphitheater and playground area to be located at 1075 Ronald Reagan Avenue.

Motion made by Councilmember Gibbons to allocate funds in the amount of \$120,000 for a playground to be located at or near 1075 Ronald Reagan Avenue, Seconded by Mayor Pro Tem Kenney. Voting Yea: Councilmember Gibbons, Councilmember DuPree, Mayor Pro Tem Kenney. Motion passed unanimously.

21. Consider and act on allocating funds to purchase two vehicles for the police department.

Motion made by Mayor Pro Tem Kenney to approve funds in an amount not to exceed \$120,000 to purchase two vehicles for the police department as discussed, Seconded by Councilmember DuPree.

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

22. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas, amending Ordinance 2021-08-883; the 2021-2022 budget as adopted.

Motion made by Mayor Pro Tem Kenney to approve an ordinance of the Town Council of the Town of Hickory Creek, Texas, amending Ordinance 2021-08-883; the 2021-2022 budget as adopted, Seconded by Councilmember Gibbons.

A roll call vote was taken. Councilmember Gibbons voted yea, Councilmember DuPree voted yea, Mayor Pro Tem Kenney voted yea. Motion passed unanimously.

23. Discussion regarding updates on license plate readers and canine program.

Chief Dunn provided an overview on license plate readers and canine program and answered questions from the town council.

24. Discussion regarding yearly appreciation dinner for volunteers and staff.

Discussion was held regarding the yearly appreciation dinner for volunteers and staff. The event will be held in the fall.

25. First reading of a resolution of the Town Council of the Town of Hickory Creek, Texas, authorizing the Hickory Creek Economic Development Corporation, a Type B Economic Development Corporation, to acquire an approximately 0.933 acre tract or tracts of land.

26. Second reading of a resolution and consider and action by the Town Council of the Town of Hickory Creek, Texas, authorizing the Hickory Creek Economic Development Corporation, a Type B Economic Development Corporation, to acquire an approximately 0.933 acre tract or tracts of land.

Motion made by Councilmember Gibbons to approve a resolution authorizing the Hickory Creek Economic Development Corporation, to acquire an approximately 0.933 acre tract or tracts of land, Seconded by Councilmember DuPree.

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

Executive Session

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 8:43 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.

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27. Broadband services, contractual terms, and legal obligations.

Reconvene into Open Session

The Town Council reconvened into open session at 9:27 p.m.

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

No action taken.

Future Agenda Items

There were no future agenda items.

Adjournment

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

Voting Yea: Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney.

Motion passed unanimously.

The meeting did then stand adjourned at 9:28 p.m.

Approved:

Attest:

Lynn C. Clark, Mayor
Town of Hickory Creek

Kristi K. Rogers, Town Secretary
Town of Hickory Creek