

**REGULAR MEETING OF THE TOWN COUNCIL
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
MONDAY, APRIL 26, 2021**

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

Councilmember Randy Gibbons

Councilmember Richard DuPree

Councilmember Chris Gordon

Mayor Pro Tem Paul Kenney

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 Ian Theodore gave the invocation.

Presentation of Awards

1. Jackson Moss

Mayor Clark presented a plaque of appreciation to Jackson Moss for completion of his Eagle Scout project in Arrowhead Park.

Proclamations

2. May 2021 as Motorcycle Safety and Awareness

Mayor Clark proclaimed May 2021 as Motorcycle Safety & Awareness Month in the Town of Hickory Creek.

Items of Community Interest

Corbin Burley, from Boy Scout Troop 424, was in attendance to achieve his Citizenship in the Community Merit Badge.

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April is National Autism Awareness Month. The Hickory Creek Police department is selling Autism Awareness patches and t-shirts. All proceeds will benefit the UNT Kristin Farmer Autism Center.

Public Comment

David Gilmore, 101 Saratoga, stated he lives on the northwest corner of Saratoga and Turbeville Road, which is in close proximity to the Olana, and he is in favor of the Olana expansion as submitted. As a member of the Planning and Zoning Commission, he recused himself from the discussion and abstained from voting during the April 20, 2021 meeting. He commended town staff and council for making adjustments to the planned development submitted in 2019, making it more friendly to the community. The distance of 60 ft between the buildings and the homeowner's property line is more than sufficient. He has had no issues with traffic during weddings, but prefers guests stay overnight after wedding celebrations when alcohol is consumed. He would much rather have the wedding venue and hotel instead of 150 houses on the property.

Consent Agenda

3. March 2021 Council Meeting Minutes
4. March 2021 Financial Statements
5. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas, amending Ordinance 2020-08-858; the 2020-2021 budget as adopted.

Mayor Clark called for a roll call vote.

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

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

Executive Session

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 6:20 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.

18. Economic development agreement related to property located at 1851 Turbeville Road.

Section 551.087

Deliberation regarding Economic Development Negotiations, to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the government body seeks to have locate, stay or expand in or near the territory of the government body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

19. Economic development agreement related to property located at 1851 Turbeville Road.

The Town Council reconvened into open session at 6:46 p.m.

Regular Agenda

6. Conduct a public hearing regarding a request from KSW Holding Hickory Creek, LP to amend the current PD (Planned Development) zoning designation on two (2) tracts of land legally described as A1120A H.H. Swisher 50, 5.0 acres and TR 50A(1)(PT), 33.8629 acres, Town of Hickory Creek, Denton County, Texas and consider and act on the same. The properties are located in the 1800 Block of Turbeville Road.

Laura Canda Lewis, representing KSW Holding Hickory Creek, LP, provided an overview of the proposed amendments to the current zoning and answered questions from the town council.

John Smith, town administrator, outlined concerns expressed during the Planning and Zoning Commission meeting held on April 20, 2021 including traffic, lighting, height of buildings and security.

Chief Carey Dunn provided a summary of calls for service at the Olana since 2019.

Mayor Clark called the public hearing to order at 7:16 p.m. With no one wishing to speak, the public hearing was closed at 7:16 p.m.

Motion made by Mayor Pro Tem Kenney to approve an ordinance amending the current PD (Planned Development) zoning designation on two (2) tracts of land legally described as A1120A H.H. Swisher 50, 5.0 acres and TR 50A(1)(PT), 33.8629 acres, Town of Hickory Creek, Denton County, Texas with the following amendments to Exhibit B, Planned Development Standards; times for the service entry from 9:00 a.m. until 6:00 p.m.; architectural design stated as French Provincial; night sky standards, Seconded by Councilmember Theodore.

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

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.

Mrs. Sue Tejml provided an overview of the Denco 9-1-1 Area District, her tenure on the board of managers and thanked the council for considering nominating her for another term.

Motion made by Councilmember Gordon approve a resolution of the Town Council of the Town of Hickory Creek, Texas, nominating Sue Tejml to a slate of nominees for the board of managers of the Denco Area 9-1-1 District, Seconded by Councilmember Theodore. Voting Yea: Councilmember Gibbons, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney, Councilmember Theodore. Motion passed unanimously.

8. Consider and act on a final plat of Lake Dallas RV Park Phase II, Lot 1, Block 1; being 1.013 acres of land out of the L. Cobb Survey, Abstract No. 284, Town of Hickory Creek ETJ, Denton County, Texas. The property is located at 661 S Main Street.

Motion made by Mayor Pro Tem Kenney to approve a final plat of Lake Dallas RV Park Phase II, Lot 1, Block 1; being 1.013 acres of land out of the L. Cobb Survey, Abstract No. 284, Town of Hickory Creek ETJ, Denton County, Texas. The property is located at 661 S Main Street, Seconded by Councilmember Gordon.

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 authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement by and between the Town of Hickory Creek, Texas and Halff Associates, Inc. concerning GIS Services.

Matt Stahl, Halff Associates, Inc., provided an overview of the process to create and maintain an enterprise GIS database with hosting services and questions from the town council were answered.

No action taken.

10. 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 by and between the Town of Hickory Creek, Texas and Mobile Communications America concerning equipment and service maintenance.

Councilmember Gordon recused himself from the discussion, exited the council chambers at 8:32 p.m. and returned to the council chambers at 8:43 p.m.

No action taken.

11. Consider and act on nomination of the 2021 Hickory Creek Scholars of the Year.

Motion made by Councilmember DuPree to recognize Addison Buesing and Gillian Stinson as the 2021 Hickory Creek Scholars of the Year, Seconded by Councilmember Theodore.

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

12. Consider and act on nomination of the 2021 Hickory Creek Sportsman of the Year.

Motion made by Councilmember Theodore recognize Patrick Wenger as the 2021 Hickory Creek Sportsman of the Year, Seconded by Councilmember DuPree.

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

13. Consider and act on nomination of the 2021 Hickory Creek Sportswoman of the Year.

Motion made by Councilmember Theodore to recognize Ivelyn Jimenez as 2021 Hickory Creek Sportsman of the Year, Seconded by Councilmember Gordon.

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

14. Discussion regarding 2020 Citizen and Business of the Year.

Discussion was held regarding 2020 Citizen and Business of the Year.

15. Discussion regarding utilizing American Rescue Act Funding for broadband in a public/private partnership.

Discussion was held regarding utilizing American Rescue Act Funding for broadband in a public/private partnership.

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

Discussion was held regarding the yearly appreciation dinner for volunteers and staff.

Executive Session

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 9:22 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.

17. DCAD Property ID 62326

Reconvene into Open Session

The Town Council reconvened into open session at 10:27 p.m.

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

DCAD Property ID 62326

No action taken.

Economic development agreement related to property located at 1851 Turbeville Road.

Motion made by Mayor Pro Tem Kenney authorizing the Mayor to execute an economic development agreement with KSW Holding Hickory Creek, LP, Seconded by Councilmember Theodore.

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

Adjournment

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

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

The meeting did then stand adjourned at 10:42 p.m.

Approved:

Attest:

Lynn C. Clark, Mayor
Town of Hickory Creek

Kristi K. Rogers, Town Secretary
Town of Hickory Creek