

**REGULAR MEETING OF THE TOWN COUNCIL
REMOTE MEETING
MONDAY, DECEMBER 28, 2020**

MINUTES

In response to the coronavirus pandemic, effective March 16, 2020, Texas Governor Abbott suspended certain Open Meeting rules to allow meetings of government bodies that are accessible to the public to decrease large groups of people from assembling. The suspension temporarily removes the requirement that government officials and members of the public be physically present at a meeting location.

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

The following member was absent:

Councilmember Tracee Elrod

Also in attendance:

John M. Smith, Jr., Town Administrator
Kristi K. Rogers, Town Secretary
Trey Sargent, Town Attorney

Pledge of Allegiance to the U.S. And Texas Flags

Councilmember Gordon led the Pledge of Allegiance to the U.S. and Texas Flags.

Invocation

Councilmember Theodore gave the invocation.

Items of Community Interest

Thanks to town staff for installing a new monument sign on Turbeville Road.

Sycamore Bend Road schematics are 30% complete.

Public Comment

There were no speakers for public comment.

Consent Agenda

1. October 2020 Council Meeting Minutes
2. October 2020 Financial Statements
3. November 2020 Financial Statements
4. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas, amending the Town's Code of Ordinances, Chapter 8 Offenses and Nuisances; Article 8.02 Fireworks.
5. 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 Halff & Associates for professional planning services for Development Stimulus Plan and GIS Zoning Map.
6. 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, Texas and Joe Goddard Enterprises concerning siren maintenance.

Mayor Clark requested item 5 be pulled from the consent agenda for separate discussion.

Motion made by Councilmember DuPree to approve consent agenda items 1-4 and 6,
Seconded by Councilmember Gordon.

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

John Smith, Town Administrator, provided an overview of the services included in the proposal. Timothy May, Halff Associates, answered questions from the town council.

Motion made by Councilmember DuPree to approve consent agenda item 5 in an amount not to exceed \$45,000.00, Seconded by Councilmember Theodore.

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

Regular Agenda

7. Conduct a public hearing regarding an ordinance of the Town of Hickory Creek, Texas amending the Town's Code of Ordinances, Chapter 14: Zoning, Article XIII: C-1 Commercial District; Section 3 (2), Building Regulations to alter the allowable height of fences within the district and consider and act on an ordinance for the same.

Mayor Clark called the public hearing to order at 6:49 p.m. With no one wishing to speak, Mayor Clark closed the public hearing at 6:49 p.m.

Town of Hickory Creek
December 28, 2020
Page 3

Motion made by Councilmember Gordon to approve an ordinance requiring eight foot fences within the district as discussed, Seconded by Mayor Pro Tem Kenney.

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

8. Consider and act on a site plan for 6060 S. Stemmons. The property is legally described as Lake Cities Polaris Addition, Block A, Lot 1.

Motion made by Councilmember Gordon to approve a site plan for 6060 S. Stemmons, Lake Cities Polaris Additions, Block A, Lot 1, Seconded by Mayor Pro Tem Kenney.

Voting Yea: 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 authorizing the Mayor of the Town of Hickory Creek, Texas, to execute an agreement by and between the Town of Hickory Creek and Texas Department of Transportation concerning landscape improvement and maintenance.

Motion made by Councilmember Theodore to approve agenda item 9, Seconded by Mayor Pro Tem Kenney.

Voting Yea: Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney, 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 by and between the Town of Hickory Creek and Lakeview Pointe Vista Homeowners Association, Inc. concerning landscape improvement and maintenance.

Motion made by Councilmember Theodore to approve agenda item 10, adding language to the agreement, stating the Town of Hickory Creek will be the contact for the HOA, Seconded by Councilmember Gordon.

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

11. Consider and act on an appointment to the Board of Adjustments.

Motion made by Councilmember Gordon to appoint Alexander Valderrey, Alternate 1, of the Board of Adjustments, Seconded by Councilmember DuPree.

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

12. Consider and act on appointments to the Economic Development Corporation

Motion made by Councilmember Gordon to appoint the following to the Economic Development Board; Nate Prevost, Place 2, Lynn Clark, Place 4 and Christina Pierson, Place 6, Seconded by Councilmember Theodore.

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

13. Consider and act on an appointment to the Planning and Zoning Commission.

Motion made by Mayor Pro Tem Kenney to appoint Tim May to Place 6 of the Planning and Zoning Commission, Seconded by Councilmember DuPree.

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

14. Consider and act on allocating funds to provide a secure parking area with automated gates at 1075 Ronald Reagan Avenue.

Motion made by Councilmember Gordon to allocate funds in the amount of \$50,815.00 to provide a secure parking area with automated gates at 1075 Ronald Reagan Avenue, Seconded by Mayor Pro Tem Kenney.

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

15. Discussion regarding placing additional street lighting on various roadways throughout the Town of Hickory Creek.

Discussions were held regarding various options and cost of additional street lighting throughout the Town of Hickory Creek.

Executive Session

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 7:28 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.

16. Contemplated litigation concerning construction work upon the roof of Town Hall.

Reconvene into Open Session

The Town Council reconvened into open session at 7:47 p.m.

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

Motion made by Mayor Pro Tem Kenney to authorize the town attorney to take action as discussed in executive session regarding Foam Tech, Seconded by Councilmember Theodore.

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

Adjournment

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

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

The meeting did then stand adjourned at 7:48 p.m.

Approved:

Attest:

Lynn C. Clark, Mayor
Town of Hickory Creek

Kristi K. Rogers, Town Secretary
Town of Hickory Creek