

**REGULAR MEETING OF THE TOWN COUNCIL
REMOTE MEETING
MONDAY, JULY 27, 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 Tracee Elrod
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
Trey Sargent, Town Attorney

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

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

Invocation

Mayor Pro Tem Kenney gave the invocation.

Items of Community Interest

The Parks and Recreation Board will host an Arbor Day Celebration and Great American Clean Up Event on Saturday, November 7, 2020.

Public Comment

There were no speakers for public comment.

Consent Agenda

1. June 2020 Council Meeting Minutes

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2. June 2020 Financial Statements
3. Consider and act on an ordinance of the Town of Hickory Creek, Texas electing for the Town to make current service and prior service contributions to the Town's account in the benefit accumulation fund of the Texas Municipals Retirement System at the actuarially determined rate of the total employee compensation.
4. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas approving the 2020 annual update to the service and assessment plan and assessment roll for Hickory Creek Public Improvement District No.1 including the collection of the 2020 annual installments.
5. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas approving the 2020 annual update to the service and assessment plan and assessment roll for Hickory Creek Farms Public Improvement District including the collection of the 2020 annual installments.
6. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas authorizing the issuance of a water well drilling permit for 141 S. Hook Street, Hickory Creek, Texas.
7. 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 interlocal agreement by and between the Town of Hickory Creek and Span, Inc. for transportation services.
8. 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 interlocal cooperation agreement for Shared Governance Communications and Dispatch Services System between the Town of Hickory Creek Police Department and Denton County.
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 amendment to an agreement by and between the Town of Hickory Creek, Texas and WaterToyz, LLC.
10. Consider and act on the 2020-2021 Hickory Creek Economic Development Corporation Budget.
11. Consider and act on the acceptance of renewal rates from TML Health Benefits Pool for town employee medical coverage for Fiscal Year 2020-2021.

Motion made by Councilmember DuPree to approve consent agenda items 1-11, Seconded by Councilmember Theodore.

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

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Regular Agenda

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 a developer agreement by and between the Town of Hickory Creek, Texas and Lennon II Family Limited Partnership.

Motion made by Councilmember Theodore to continue agenda item 12 until the next regularly scheduled meeting, Seconded by Councilmember DuPree.

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

13. Consider and act on an ordinance annexing the hereinafter described territory to Town of Hickory Creek, Denton County, Texas, and extending the boundary limits of said Town so as to include a certain 0.91236 acre tract of land owned by the Town of Hickory Creek situated in the M.E.P. & P.R.R. Co. Survey, Abstract No. 915, Denton County, Texas within said town limits, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the town; adopting a service plan; and providing an effective date.

Motion made by Councilmember Gordon to approve an ordinance annexing a certain 0.91236 acre tract of land owned by the Town of Hickory Creek situated in the M.E.P. & P.R.R. Co. Survey, Abstract No. 915, Denton County, Texas within said town limits, Seconded by Councilmember Elrod.

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

14. Consider and act on an ordinance annexing the hereinafter described territory to Town of Hickory Creek, Denton County, Texas, and extending the boundary limits of said Town so as to include a certain 3.086 acre tract of land owned by the Town of Hickory Creek situated in the M.E.P. & P.R.R. Co. Survey, Abstract No. 915, Denton County, Texas within said town limits, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the town; adopting a service plan; and providing an effective date.

Motion made by Councilmember Theodore to approve an ordinance annexing a certain 3.086 acre tract of land owned by the Town of Hickory Creek situated in the M.E.P. & P.R.R. Co. Survey, Abstract No. 915, Denton County, Texas within said town limits, Seconded by Councilmember Gordon.

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

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15. Consider and act on an ordinance annexing the hereinafter described territory to Town of Hickory Creek, Denton County, Texas, and extending the boundary limits of said Town so as to include a certain 35.580 acre tract or tracts situated in the M.E.P. & P.R.R. Co. Survey, Abstract No. 915, Denton County, Texas within said town limits, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the town; adopting a written service agreement; and providing an effective date.

Motion made by Councilmember Gordon to continue agenda item 15 until the next regularly scheduled meeting, Seconded by Councilmember Theodore.

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

16. Conduct a public hearing regarding a request from Trendmaker Homes DFW, LLC on behalf of Lennon II Family Limited Partnership and the Town of Hickory Creek designating certain tracts of land legally described as A0915A M.E.P. & P.R.R. TR 16 (PT), 3.086 acres of land and A0915A M.E.P. & P.R.R. TR 15 and 16 (PT) 35.580 acres of land as PD (Planned Development) and consider and act on an ordinance for the same.

Mayor Clark called the public hearing to order at 6:17 p.m.

Motion made by Councilmember DuPree to continue the public hearing until the next regular council meeting, Seconded by Councilmember Elrod.

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

17. 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 a special warranty deed from the Town of Hickory Creek, Texas to Lennon II Family Limited Partnership.

Motion made by Councilmember Elrod to continue agenda item 17 until the next regularly scheduled meeting, Seconded by Councilmember DuPree.

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

18. Consider and act on a preliminary plat of the Lennon Creek Addition, an addition to the Town of Hickory Creek, Denton County, Texas and being situated in the M.E.P. and P.R.R. R.R. Co. Survey, Abstract No. 915. The property is located at the southeast corner of Parkridge Dr. and FM 2181.

Motion made by Councilmember Gordon to continue agenda item 18 until the next regularly scheduled meeting, Seconded by Councilmember Elrod.

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

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19. Consider and act on a replat of The Alcove at Hickory Creek, formerly Hickory Farms Addition, 24.77 acres situated in the H.H. Swisher Survey, Abstract No. 1220, Town of Hickory Creek, Denton County, Texas. The property is located in the 1000 block of Ronald Reagan Avenue.

Motion made by Councilmember Gordon to approve a replat of the Alcove at Hickory Creek, formerly Hickory Farms Addition as presented, Seconded by Councilmember Elrod.

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

20. Consider and act on a final plat submitted by Eagle Surveying on behalf of Steven and Vicky Hammond of the Oak Creek Addition, Block A, Lot 1, being 0.51 acres of land situated in the Lowry Cobb survey, Abstract No. 284, Town of Hickory Creek, Denton County, Texas. The property is located at 121 Wild Oak Lane.

Motion made by Councilmember Gordon to approve a final plat for the property located at 121 Wild Oak Lane, Seconded by Councilmember Elrod.

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

21. Discussion regarding the 2020-2021 Fiscal Year Budget.

Discussions were held regarding the 2020-2021 Fiscal Year Budget.

Executive Session

In accordance with Texas Local Government Code, Chapter 551, the Town Council did not convene into executive session 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.

22. Denton County Cause No. 20-2272-462

Reconvene into Open Session

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

No action taken; the town council did not convene into executive session.

Adjournment

Motion made by Councilmember Elrod to adjourn the meeting, Seconded by Councilmember DuPree.

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

The meeting did then stand adjourned at 6:35 p.m.

Approved:

Attest:

Lynn C. Clark, Mayor
Town of Hickory Creek

Kristi K. Rogers, Town Secretary
Town of Hickory Creek