



**NOTICE OF  
SPECIAL MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN AVENUE, HICKORY CREEK, TEXAS 75065  
MONDAY, SEPTEMBER 16, 2024, 6:00 PM**

**AGENDA**

**Call to Order**

**Roll Call**

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

**Invocation**

**Items of Community Interest**

Pursuant to Texas Government Code Section 551.0415 the Town Council may report on the following: expressions of thanks, congratulations, or condolence; an honorary or salutary recognition of an individual; a reminder about an upcoming event organized or sponsored by the governing body; and announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda.

**Public Comment**

This item allows the public an opportunity to address the Town Council. To comply with the provisions of the Open Meetings Act, the Town Council cannot discuss or take action on items brought before them not posted on the agenda. Please complete a request if you wish to address the Town Council. Comments will be limited to three minutes. Open Forum is for information only. No charges and/or complaints will be heard against any elected official, board member, the Town, or employee of the Town that are prohibited by law.

**Consent Agenda**

Items on the Consent Agenda are considered to be self-explanatory and will be enacted with one motion. No separate discussion of these items will occur unless so requested by at least one member of the Town Council.

1. August 2024 Council Meeting Minutes
2. August 2024 Financial Statements
3. 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 the State of Texas, through TxDOT, concerning road closures.

4. Consider and act on permit application submitted by Wal-Mart, 1035 Hickory Creek Blvd, Hickory Creek, Texas, for temporary storage containers for seasonal merchandise.

### **Regular Agenda**

5. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek ratifying the property tax revenue increase reflected in the fiscal year 2024-2025 budget.
6. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas, accepting the 2024 Certified Tax Roll for the Town of Hickory Creek; approving the 2024 Ad Valorem Tax Rate and levying \$0.223060 on each one hundred dollars of assessed valuation of all taxable property within the corporate limits of the Town for the fiscal year beginning October 1, 2024 and ending September 30, 2025. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE; providing for a due date and delinquency date, providing for the collection and use of penalty and interest on delinquent taxes; directing the Tax Assessor/Collector to assess and collect Ad Valorem Property Taxes.
7. Receive an update from Michael O'Linc regarding Pavlov and discuss same.
8. Receive an update from Chief Dunn concerning police department activity since the June 2024 council meeting and discuss same.
9. Receive an update from the Hickory Creek Leisure Center subcommittee and discuss same.

### **Executive Session**

In accordance with Texas Local Government Code, Chapter 551, the Town Council will 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.

10. Discussion regarding Denton CAD Property ID# 62326.

### **Reconvene into Open Session**

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

### **Future Agenda Items**

The purpose of this section is to allow each Council Member the opportunity to propose that an item be added as a business item to any future agenda. Any discussion of, or a decision about, the subject matter shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

### **Adjournment**

The Town Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Chapter 551.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact Town Hall at 940-497-2528 or by fax 940-497-3531 so that appropriate arrangements can be made.

I, Kristi Rogers, Town Secretary, for the Town of Hickory Creek certify that this meeting notice was posted on the bulletin board at Town Hall, 1075 Ronald Reagan Avenue, Hickory Creek, Texas on September 11, 2024 at 4:00 p.m.

A handwritten signature in cursive script, appearing to read "Kristi Rogers", written over a horizontal line.

Kristi Rogers, Town Secretary  
Town of Hickory Creek

**SPECIAL MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
MONDAY, AUGUST 05, 2024**

**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 Chris Gordon

Councilmember Ian Theodore

Also in attendance:

John M. Smith, Jr., Town Manager

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 Gordon gave the invocation.

**Items of Community Interest**

Lake Cities Chamber of Commerce will hold the 4th Annual “Rolling into Fall” Bicycle Rally on September 28, 2024 from 7:30 a.m. to 1:00 p.m.

**Public Comment**

Ron Furtick, 1500 Turbeville Road, stated historically, over the last decade or two, the town administration has been hostile to his business interests. He believes the goal of the current administration is to put his trailer park out of business, destroying any future retirement income. The existence of the park has allowed the Town's economic development to proceed at its pace. If the park didn't exist, the land would have been used by single family developers years ago. The way he looks at it, the little trailer park has saved the Town's future. Unfortunately, the town administration does not recognize this and continues to treat the park, him and his wife with disrespect and contempt. When you're planning on making a hugely controversial decision, it's always a good idea to have a good look at it.

## **Town of Hickory Creek**

**August 5, 2024**

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Hypothetically if the town wins big, beating him down badly, breaking his will to continue, he will be forced to close the park telling tenants they have a short period of time to leave, removing the infrastructure that has been installed the last thirty years and return the property to agricultural uses. He would be forced to litigate the issue because of the Town's success in using harassment to eliminate retirement income. The retirement income destroyed would be the value of the damages. He would like to extend his hand in friendship to work out the differences and begin working together towards the creation of a downtown, but his guess is the Town would slap his hand away. He plans to hire a top notch legal firm and sue the Town. He would place the property in a trust for his grandchildren. He would suggest the grandchildren deannex the property to give them the opportunity to develop a downtown that the administration has always denied him of which would delay the economic development for the town by decades.

Gloria Homans, 1500 Turbeville Road, stated she truly does not know what to think when she sees a discussion of litigation and the intent to sue involving her property. Does the Town want to put her and Ron out of business, making their tenants homeless? The tenants are fragile. They have refused to sell to developers that only want to build apartments. If they were greedy or didn't care they would have pocketed the money and followed other business adventures. Several years ago, they were going to sell the property to developers that wanted to build a downtown, but it never took off. It is her understanding that the citizenry of Hickory Creek does not want more apartments. She and Ron care about the Town, the citizens and their tenants. They believe, without sales tax revenue, property taxes will increase. She spoke with Chris Chaudoir regarding the letters and citations they are receiving almost daily for trash and filth as noted on the citations. The trash and rubbish that can be seen from the hole in the fence owned by the Town are wooden branches from trees cut up and placed on wood pallets due to storm damage. She would like to understand the purpose and the intent. She believes in kindness and fairness. With mutual cooperation, there can be success.

### **Consent Agenda**

1. June 2024 Council Meeting Minutes
2. June 2024 Financial Statements
3. 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 agreement between the Town of Hickory Creek and the City of Corinth concerning animal services.
4. 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 cooperative agreement between the Town of Hickory Creek and the County of Denton concerning police radio communication services.
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 interlocal agreement between the Town of Hickory Creek and the City Lake Dallas concerning the Carlise Drive roadway project.

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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 interlocal agreement between the Town of Hickory Creek and the Town of Shady Shores concerning public works services.
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 members of the Texas Municipal League concerning cybersecurity risk coverage.
8. Consider and act on the 2024-2025 Hickory Creek Economic Development Corporation Budget.

Motion made by Councilmember Gordon to approve consent agenda items 1-8, Seconded by Councilmember Wohr.

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

### **Regular Agenda**

9. Consider and act on a site plan for 800 Point Vista Road, being 5.13 acres of land situated in the Cornelius Town Center Addition, Block A, Lot 1, Town of Hickory Creek, Denton County, Texas.

Motion made by Councilmember Gibbons to approve item 9, a site plan for 800 Point Vista Road, Seconded by Councilmember Theodore.

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

10. Consider and act on a preliminary plat for the Lennon II Addition, Lots 1 - 9, Block A, being 10.22 acres of land situated in the M.E.P. and P.R.R. Co. Survey, Abstract No. 915, Town of Hickory Creek, Denton County, Texas. The property is located in the 3100 block of FM 2181.

Brad Devault, Victory Real Estate Group, and Drew Donosky, Clay Moore Engineering, answered questions from the Town Council.

Motion made by Councilmember Gordon to approve a preliminary plat for the Lennon II Addition, Lots 1 - 9, Block A, being 10.22 acres of land situated in the M.E.P. and P.R.R. Co. Survey, Abstract No. 915, Town of Hickory Creek, Denton County, Texas. The property is located in the 3100 block of FM 2181, Seconded by Councilmember Theodore. Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

11. Consider and act on a site and landscape Plan for the Lennon II Addition, Lot 3, Block A, being 2.123 acres of land situated in the M.E.P. and P.R.R. Co. Survey, Abstract No. 915, Town of Hickory Creek, Denton County, Texas. The property is located in the 3100 block of FM 2181.

**Town of Hickory Creek**

**August 5, 2024**

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Brad Devault, Victory Real Estate Group, and Drew Donosky, Clay Moore Engineering, answered questions from the Town Council.

Motion made by Mayor Pro Tem Kenney to approve a site and landscape plan for the Lennon II Addition, Lot 3, Block A, being 2.123 acres of land situated in the M.E.P. and P.R.R. Co. Survey, Abstract No. 915, Seconded by Councilmember Theodore.  
Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

12. Consider and act on a final plat for the Lennon II Addition, Lot 3, Block A, being 2.123 acres of land situated in the M.E.P. and P.R.R. Co. Survey, Abstract No. 915, Town of Hickory Creek, Denton County, Texas. The property is located in the 3100 block of FM 2181.

Motion made by Councilmember Theodore to approve a final plat for Lennon II Addition, Lot 3, Block A, Seconded by Mayor Pro Tem Kenney.  
Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. 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 interlocal agreement with Span, Inc. for transportation services and reimbursement.

Jona Coronado, Ricky DeLaPaz and Kristine Herrera provided an overview of services provided by Span Inc. and answered questions from the Town Council.

Motion made by Councilmember Gibbons to approve a resolution for an interlocal agreement with Span for transportation services and reimbursements not to exceed \$20,000, seconded by Councilmember Wohr.  
Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

14. Consider and act on granting a waiver from an appeal of a decision of the Town Building Official denying an application for a sign permit submitted by The Olana, 1850 Turbeville Road, Hickory Creek, Texas that fails to comply with Hickory Creek Code of Ordinances, Chapter 3: Building Regulations, Article 3.08 Signs.

Tanner Pitts, FD3 Hospitality Project Manager, provided an overview of the request and answered questions from the Town Council.

Motion made by Councilmember Theodore to approve a waiver from an appeal of a decision of the Town Building Official per agenda item 14, Seconded by Councilmember Gordon.  
Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

15. Consider and act on allocating additional funds for 2024 Pavement Repairs and Phase 4 Sidewalk Extensions.

**Town of Hickory Creek**

**August 5, 2024**

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John Smith, Town Manager, provided an overview of the project and answered questions from the Town Council.

Motion made by Councilmember Theodore to approve allocating additional funds for 2024 Pavement Repairs and Phase 4 Sidewalk Extensions in an amount not to exceed \$1,236,000, Seconded by Mayor Pro Tem Kenney.

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

16. Consider and act on acceptance of medical, dental and vision rates from Cigna; life, accidental death, short term disability and long term disability from Renaissance; first responder support from Responder Health and a supplemental benefit for an employees' household from New Benefits for employee coverage for Fiscal Year 2024-2025.

Motion made by Councilmember Gordon to approve , medical, dental and vision rates from Cigna; life, accidental death, short term disability and long term disability from Renaissance; first responder support from Responder Health and a supplemental benefit for an employees' household from New Benefits for employee coverage for Fiscal Year 2024-2025, Seconded by Mayor Pro Tem Kenney.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Woehr, Councilmember Gordon, 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 an agreement by and between the Town of Hickory Creek, Texas and Half Associates, Inc. concerning professional engineering services for Point Vista Road Expansion.

Motion made by Councilmember Theodore to approve a resolution of the Town Council of the Town of Hickory Creek, authorizing the Mayor to execute an agreement between the Town of Hickory Creek, Texas and Half Associates, Inc. for professional engineering services for Point Vista Road Expansion, Seconded by Councilmember Gordon.

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

18. 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 2024; setting a date, time and place to adopt the 2024 tax rate.

Motion made by Councilmember Gordon to approve a resolution a resolution of the Town Council of the Town of Hickory Creek, Texas, proposing a tax rate of 0.223060 per \$100 valuation which represents the No-New-Revenue tax rate for 2024; setting a date of September 16, 2024; a time of 6:00 p.m. and setting the location of Town Hall for the adoption of the 2024 tax rate, Seconded by Mayor Pro Tem Kenney.

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

19. Discussion regarding the preliminary 2024-2025 Fiscal Year Budget.



Discussion was held regarding the 2024-2025 Fiscal Year Budget.

20. 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 2024-2025 Fiscal Year Proposed Budget; setting a date, time and place to adopt the budget.

Motion made by Mayor Pro Tem Kenney 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 2024-2025 Fiscal Year Proposed Budget; setting a date, time and place to adopt the budget for August 26, 2024, at 6:00 p.m. at Town Hall for the public hearing and adoption of the 2024-2025 Fiscal Year Budget, Seconded by Councilmember Gibbons.

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

21. Discussion regarding Arrowhead Park.

Discussion was held regarding Arrowhead Park.

### **Executive Session**

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 7:45 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.

22. Discussion regarding Denton CAD Property ID# 62326.
23. Discussion regarding certain real property generally located, North of Interstate 35E, Lake Lewisville Bridge, South of FM 2181, East of Ronald Reagan Avenue and West of Interstate 35E.

### **Section 551.074**

Personnel matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.

24. Review of individual employees' performance.

### **Reconvene into Open Session**

The Town Council reconvened into open session at 11:23 p.m.

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

No action taken.

**Future Agenda Items**

The following items were requested: tree ordinance, franchise fees for broadband and the leisure center.

**Adjournment**

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

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

The meeting did then stand adjourned at 11:24 p.m.

Approved:

Attest:

\_\_\_\_\_  
Lynn C. Clark, Mayor  
Town of Hickory Creek

\_\_\_\_\_  
Kristi K. Rogers, Town Secretary  
Town of Hickory Creek

**REGULAR MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
MONDAY, AUGUST 26, 2024**

**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

Mayor Pro Tem Paul Kenney

Councilmember Randy Gibbons

Councilmember Nick Wohr

Councilmember Chris Gordon

Councilmember Ian Theodore

Also in attendance:

John M. Smith, Jr., Town Manager

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 Theodore gave the invocation.

**Proclamations**

1. September 2024 as "Library Card Sign-Up Month"

Mayor Clark proclaimed September 2024 as "Library Card Sign-Up Month" in the Town of Hickory Creek. Serene Prat and Christi Kulesza accepted the proclamation on behalf of Friends of the Lake Dallas Library.

2. September 2024 as "Live United Month"

Mayor Clark proclaimed September 2024 as "Live United Month" in the Town of Hickory Creek. Frank Dixon, Micah Tannery, Michael Ingle and Gary Henderson accepted the proclamation on behalf of United Way of Denton County.

**Items of Community Interest**

CoServ will host the Lake Cities Chamber Networking Coffee on August 28, 2024 and an American Red Cross Blood Drive on September 11, 2024, at CoServ headquarters in Corinth.

## **Town of Hickory Creek**

**August 26, 2024**

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Lake Cities Chamber of Commerce Business Mixer will be held on August 29, 2024 from 5:00 p.m. to 7:00 p.m. at Angelina's in Hickory Creek.

Lake Cities Chamber of Commerce will hold the 4th Annual "Rolling into Fall" Bicycle Rally on September 28, 2024 from 7:30 a.m. to 1:00 p.m.

The "9/11 Walk of Remembrance" will be held on September 8, 2024 at 6:30 p.m. to honor and remember all who perished on September 11, 2001.

Thousand Hills Church in Hickory Creek will host Fall Fest on October 26, 2024 from 9:00 a.m. to 3:00 p.m.

### **Public Comment**

Ron Furtick, 1500 Turbeville Road, stated the Town Council has him in executive session again to talk about suing him. He had what he thought was a great meeting with John Smith and Randy Gibbons. They talked about the future, widening the road and zoning. He has been trying to get zoning for 15 years. He walked away from the meeting thinking progress was made. He received a letter today stating the Town is accelerating the septic issue. From his perspective, the tickets he is receiving from the Town on a weekly basis, is to put him out of business. He wants to install sewer on the property and has had an engineer working on a sewer line design for the last six months. The design has been submitted to Lake Cities Municipal Utility Authority. He is unable to put the project out to bid until he has a final set of plans and then construction could take six to eight months. Nothing was ever done with the zoning, so he has not attended trade shows or contacted developers in the last seven years. He was excited to get started again to help the Town by sitting down to discuss the future and negotiate easements to widened the road. The Town Council needs to make a decision to either work together or beat on him and put him out of business.

### **Consent Agenda**

3. July 2024 Financial Statements
4. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas designating the Denton Record Chronicle as the official newspaper for the Town of Hickory Creek, Texas.

Motion made by Councilmember Gibbons to approve the consent agenda as presented,  
Seconded by Councilmember Theodore.

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

### **Regular Agenda**

5. Conduct a public hearing regarding the 2024-2025 Town of Hickory Creek Fiscal Year Budget.

Mayor Clark called the public hearing to order at 6:18 p.m. With no one wishing to speak, Mayor Clark closed the public hearing at 6:19 p.m.

**Town of Hickory Creek**

**August 26, 2024**

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6. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek adopting and approving the budget for the fiscal year beginning October 1, 2024 and ending September 30, 2025; providing for expenditure of funds, providing for filing of budget and ordinance.

John Smith, Town Manager, and Kristi Rogers, Town Secretary, answered questions from the Town Council.

Motion made by Councilmember Theodore to approve an ordinance of the Town Council of the Town of Hickory Creek adopting and approving the budget for the fiscal year beginning October 1, 2024 and ending September 30, 2025; providing for expenditure of funds, providing for filing of budget and ordinance, Seconded by Mayor Pro Tem Kenney.

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

**Executive Session**

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 6:28 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.

7. Discussion regarding Denton CAD Property ID# 62326.

**Reconvene into Open Session**

The Town Council reconvened into open session at 7:56 p.m.

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

Motion made by Councilmember Theodore to authorize the Town Manager to retain legal counsel to investigate and pursue action on Health and Safety Code Subtitle B violations located on Denton CAD Property ID# 62326, Seconded by Councilmember Wohr.

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

**Future Agenda Items**

The following items were requested: Pavlov status update, tree ordinance and tree mitigation.

**Town of Hickory Creek**

**August 26, 2024**

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**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 Gordon, Councilmember Theodore. Motion passed unanimously.

The meeting did then stand adjourned at 7:58 p.m.

Approved:

Attest:

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Lynn C. Clark, Mayor  
Town of Hickory Creek

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Kristi K. Rogers, Town Secretary  
Town of Hickory Creek

**Town of Hickory Creek**  
**Balance Sheet**  
**As of August 31, 2024**

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	<u>Aug 31, 24</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
BOA - Animal Shelter Fund	26,712.33
BOA - Drug Forfeiture	98,465.91
BOA - Drug Seizure	11.64
BOA - General Fund	128,081.91
BOA - Parks and Recreation	127,001.85
BOA - Payroll	510.00
BOA - Police State Training	5,190.94
Logic 2020 CO's	1,430,003.68
Logic Animal Shelter Facility	10,647.72
Logic Coronavirus Recovery Fund	62,809.28
Logic Harbor Ln-Sycamore Bend	89,348.63
Logic Investment Fund	11,324,583.27
Logic Turbeville Road	105,468.68
<b>Total Checking/Savings</b>	<u>13,408,835.84</u>
<b>Accounts Receivable</b>	
Municipal Court Payments	6,623.70
<b>Total Accounts Receivable</b>	<u>6,623.70</u>
<b>Total Current Assets</b>	<u>13,415,459.54</u>
<b>TOTAL ASSETS</b>	<u><u>13,415,459.54</u></u>
<b>LIABILITIES &amp; EQUITY</b>	0.00

**Town of Hickory Creek**  
**Profit & Loss**  
 August 2024

	Aug 24
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
<b>Ad Valorem Tax Revenue</b>	
4002 M&O	1,728.63
4004 M&O Penalties & Interest	129.22
4006 Delinquent M&O	-3,983.24
4008 I&S Debt Service	869.02
4010 I&S Penalties & Interest	64.42
4012 Delinquent I&S	-2,140.00
	-3,331.95
<b>Total Ad Valorem Tax Revenue</b>	-3,331.95
<b>Building Department Revenue</b>	
4102 Building Permits	8,042.00
4106 Contractor Registration	900.00
4110 Prelim/Final Site Plan	1,500.00
4128 Variance Fee	750.00
	11,192.00
<b>Total Building Department Revenue</b>	11,192.00
<b>Franchise Fee Revenue</b>	
4218 Telecom	7,715.91
4220 Solid Waste	5,653.17
	13,369.08
<b>Total Franchise Fee Revenue</b>	13,369.08
<b>Interest Revenue</b>	
4330 General Fund Interest	4.45
4332 Investment Interest	58,510.89
	58,515.34
<b>Total Interest Revenue</b>	58,515.34
<b>Interlocal Revenue</b>	
4402 Corp Contract Current Year	14,047.04
	14,047.04
<b>Total Interlocal Revenue</b>	14,047.04
<b>Miscellaneous Revenue</b>	
4502 Animal Adoption & Impound	755.60
4510 Arrowhead Park Fees	9,703.24
4520 Drug Seizure	-1,550.12
4526 Mineral Rights	23.30
4530 Other Receivables	-11,011.78
4536 Point Vista Park Fees	2,023.41
4550 Sycamore Bend Fees	4,170.41
4566 Interlocal Agreements	5,805.92
	9,919.98
<b>Total Miscellaneous Revenue</b>	9,919.98
<b>Municipal Court Revenue</b>	
4602 Building Security Fund	1,690.37
4604 Citations	52,176.39
4606 Court Technology Fund	1,394.50
4608 Jury Fund	33.91
4610 Truancy Fund	1,696.07
4612 State Court Costs	25,400.23
	82,391.47
<b>Total Municipal Court Revenue</b>	82,391.47
<b>Sales Tax Revenue</b>	
4702 Sales Tax General Fund	201,368.61
4706 Sales Tax 4B Corporation	28,766.94
4708 Sales Tax Mixed Beverage	3,742.26
	233,877.81
<b>Total Sales Tax Revenue</b>	233,877.81
<b>Total Income</b>	419,980.77
<b>Gross Profit</b>	419,980.77
<b>Expense</b>	



## Town of Hickory Creek

## Profit &amp; Loss

August 2024

09/11/24

Accrual Basis

	Aug 24
<b>Capital Outlay</b>	
5010 Street Maintenance	368.41
5012 Streets & Road Improvement	105,323.00
5022 Parks and Rec Improvements	5,850.00
5024 Public Safety Improvements	3,639.30
5026 Fleet Vehicles	48,801.15
5032 Denton County TRIP22	-594,030.46
<b>Total Capital Outlay</b>	-430,048.60
<b>General Government</b>	
5202 Bank Service Charges	20.00
5206 Computer Hardware/Software	1,159.83
5208 Copier Rental	309.53
5212 EDC Tax Payment	28,767.94
5216 Volunteer/Staff Events	109.51
5218 General Communications	4,012.00
5222 Office Supplies & Equip.	11.68
5224 Postage	1,220.00
5226 Community Cause	137.99
5228 Town Council/Board Expense	279.94
<b>Total General Government</b>	36,028.42
<b>Municipal Court</b>	
5304 Building Security	811.88
5312 Court Technology	64.70
5318 Merchant Fees/Credit Cards	344.74
5322 Office Supplies/Equipment	68.87
5332 Warrants Collected	-725.46
<b>Total Municipal Court</b>	564.73
<b>Parks and Recreation</b>	
5408 Tanglewood Park	20.42
<b>Total Parks and Recreation</b>	20.42
<b>Parks Corps of Engineer</b>	
5432 Arrowhead	5,440.02
5434 Harbor Grove	400.26
5436 Point Vista	574.26
5438 Sycamore Bend	18,804.80
<b>Total Parks Corps of Engineer</b>	25,219.34
<b>Personnel</b>	
5502 Administration Wages	44,062.26
5504 Municipal Court Wages	7,035.00
5506 Police Wages	135,972.54
5507 Police Overtime Wages	8,293.33
5508 Public Works Wages	39,335.11
5509 Public Works Overtime Wage	766.58
5510 Health Insurance	21,687.51
5514 Payroll Expense	4,140.13
5518 Retirement (TMRS)	25,117.18
5520 Unemployment (TWC)	172.82
<b>Total Personnel</b>	286,582.46
<b>Police Department</b>	
5602 Auto Gas & Oil	6,091.69
5606 Auto Maintenance & Repair	5,078.41
5612 Computer Hardware/Software	2,866.66
5626 Office Supplies/Equipment	390.98
5630 Personnel Equipment	96.07
5634 Travel Expense	394.33
5636 Uniforms	250.30
5640 Training & Education	920.00

**Town of Hickory Creek**  
**Profit & Loss**  
**August 2024**

	<u>Aug 24</u>
<b>Total Police Department</b>	16,088.44
<b>Public Works Department</b>	
5706 Animal Control Supplies	4,035.85
5708 Animal Control Vet Fees	878.40
5710 Auto Gas & Oil	3,227.45
5714 Auto Maintenance/Repair	8,283.31
5716 Beautification	1,195.00
5718 Computer Hardware/Software	610.03
5720 Dues & Memberships	35.00
5724 Equipment Maintenance	2,117.99
5728 Equipment Supplies	1,076.24
5732 Office Supplies/Equipment	143.96
5734 Communications	315.07
5742 Uniforms	96.30
5748 Landscaping Services	15,466.19
<b>Total Public Works Department</b>	37,480.79
<b>Services</b>	
5804 Attorney Fees	2,355.12
5814 Engineering	11,287.78
5818 Inspections	5,208.00
5822 Legal Notices/Advertising	317.82
5824 Library Services	201.80
5826 Municipal Judge	1,160.00
5828 Printing	101.96
5846 Span Transit Services	384.56
<b>Total Services</b>	21,017.04
<b>Utilities &amp; Maintenance</b>	
5902 Bldg Maintenance/Supplies	8,037.47
5904 Electric	2,307.20
5906 Gas	138.03
5908 Street Lighting	4,031.74
5910 Telephone	1,162.48
5912 Water	1,289.62
<b>Total Utilities &amp; Maintenance</b>	16,966.54
<b>Total Expense</b>	9,919.58
<b>Net Ordinary Income</b>	410,061.19
<b>Net Income</b>	<u><u>410,061.19</u></u>

## Town of Hickory Creek

### Budget vs. Actual Year to Date 91.63%

October 2023 through August 2024

	Oct '23 - Aug 24	Budget	% of Budget
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
<b>Ad Valorem Tax Revenue</b>			
4002 M&O	1,642,146.99	1,664,029.00	98.7%
4004 M&O Penalties & Interest	6,557.56	4,000.00	163.9%
4006 Delinquent M&O	-5,057.36	2,000.00	-252.9%
4008 I&S Debt Service	825,524.92	836,526.00	98.7%
4010 I&S Penalties & Interest	3,330.84	15,000.00	22.2%
4012 Delinquent I&S	-2,487.45	1,200.00	-207.3%
<b>Total Ad Valorem Tax Revenue</b>	<b>2,470,015.50</b>	<b>2,522,755.00</b>	<b>97.9%</b>
<b>Building Department Revenue</b>			
4102 Building Permits	689,469.29	650,000.00	106.1%
4104 Certificate of Occupancy	6,500.00	7,000.00	92.9%
4106 Contractor Registration	5,400.00	2,500.00	216.0%
4108 Preliminary/Final Plat	4,250.00	1,700.00	250.0%
4110 Prelim/Final Site Plan	7,226.00	2,100.00	344.1%
4112 Health Inspections	8,740.00	10,000.00	87.4%
4122 Septic Permits	2,125.00	2,125.00	100.0%
4124 Sign Permits	2,750.00	3,000.00	91.7%
4126 Special Use Permit	0.00	200.00	0.0%
4128 Variance Fee	2,000.00	1,500.00	133.3%
4130 Vendor Fee	925.00	225.00	411.1%
4132 Alarm Permit Fees	300.00	500.00	60.0%
<b>Total Building Department Revenue</b>	<b>729,685.29</b>	<b>680,850.00</b>	<b>107.2%</b>
<b>Franchise Fee Revenue</b>			
4214 Electric	212,302.68	207,500.00	102.3%
4216 Gas	81,977.51	90,000.00	91.1%
4218 Telecom	31,703.78	32,000.00	99.1%
4220 Solid Waste	58,225.74	50,000.00	116.5%
<b>Total Franchise Fee Revenue</b>	<b>384,209.71</b>	<b>379,500.00</b>	<b>101.2%</b>
<b>Interest Revenue</b>			
4330 General Fund Interest	47.65	40.00	119.1%
4332 Investment Interest	647,431.03	400,000.00	161.9%
<b>Total Interest Revenue</b>	<b>647,478.68</b>	<b>400,040.00</b>	<b>161.9%</b>
<b>Interlocal Revenue</b>			
4402 Corp Contract Current Year	46,154.56	64,215.00	71.9%
<b>Total Interlocal Revenue</b>	<b>46,154.56</b>	<b>64,215.00</b>	<b>71.9%</b>
<b>Miscellaneous Revenue</b>			
4502 Animal Adoption & Impound	20,705.48	18,000.00	115.0%
4506 Animal Shelter Donations	1,055.35	1,000.00	105.5%
4508 Annual Park Passes	27,803.60	30,000.00	92.7%
4510 Arrowhead Park Fees	94,023.75	40,000.00	235.1%
4512 Beer & Wine Permit	60.00	150.00	40.0%
4516 Corp Parks Fund Reserve	0.00	0.00	0.0%
4518 Drug Forfeiture	11,715.59	60,000.00	19.5%
4520 Drug Seizure	1,972.88	0.00	100.0%
4524 Fund Balance Reserve	0.00	2,196,978.56	0.0%
4526 Mineral Rights	388.48	1,000.00	38.8%
4530 Other Receivables	132,364.25	75,000.00	176.5%
4534 PD State Training	3,093.33	2,943.33	105.1%
4536 Point Vista Park Fees	13,619.25	12,000.00	113.5%
4546 Street Improv Restricted	0.00	0.00	0.0%
4550 Sycamore Bend Fees	42,979.24	25,000.00	171.9%
4554 Building Security Fund Res	0.00	0.00	0.0%
4556 Court Tech Fund Reserve	0.00	0.00	0.0%
4558 Harbor Lane/Sycamore Bend	1,750.00	0.00	100.0%
4560 2020 CO Proceeds	0.00	1,100,000.00	0.0%
4562 Coronavirus Local Recovery	0.00	275,650.00	0.0%
4564 Task Force Forfeiture	0.00	0.00	0.0%

**Town of Hickory Creek**  
**Budget vs. Actual Year to Date 91.63%**  
**October 2023 through August 2024**

	Oct '23 - Aug 24	Budget	% of Budget
4566 Interlocal Agreements	198,467.24	198,135.00	100.2%
4568 Opiod Settlements	1,008.22	0.00	100.0%
<b>Total Miscellaneous Revenue</b>	<b>551,006.66</b>	<b>4,035,856.89</b>	<b>13.7%</b>
<b>Municipal Court Revenue</b>			
4602 Building Security Fund	16,871.26	18,023.00	93.6%
4604 Citations	535,452.19	550,000.00	97.4%
4606 Court Technology Fund	13,683.95	15,936.00	85.9%
4608 Jury Fund	519.43	200.00	259.7%
4610 Truancy Fund	16,867.64	0.00	100.0%
4612 State Court Costs	275,837.33	311,060.00	88.7%
4614 Child Safety Fee	347.94	800.00	43.5%
<b>Total Municipal Court Revenue</b>	<b>859,579.74</b>	<b>896,019.00</b>	<b>95.9%</b>
<b>Sales Tax Revenue</b>			
4702 Sales Tax General Fund	2,045,041.48	2,100,000.00	97.4%
4706 Sales Tax 4B Corporation	292,148.80	300,000.00	97.4%
4708 Sales Tax Mixed Beverage	37,286.92	35,000.00	106.5%
4710 Hotel Occupancy Tax	6,084.78	5,000.00	121.7%
<b>Total Sales Tax Revenue</b>	<b>2,380,561.98</b>	<b>2,440,000.00</b>	<b>97.6%</b>
<b>Total Income</b>	<b>8,068,692.12</b>	<b>11,419,235.89</b>	<b>70.7%</b>
<b>Gross Profit</b>	<b>8,068,692.12</b>	<b>11,419,235.89</b>	<b>70.7%</b>
<b>Expense</b>			
<b>Capital Outlay</b>			
5010 Street Maintenance	6,662.55	25,000.00	26.7%
5012 Streets & Road Improvement	99,727.26	500,000.00	19.9%
5022 Parks and Rec Improvements	69,094.50	2,300,000.00	3.0%
5024 Public Safety Improvements	79,255.63	75,650.00	104.8%
5026 Fleet Vehicles	306,089.98	265,000.00	115.5%
5032 Broadband Initiative	204,195.38	205,000.00	99.6%
5032 Denton County TRIP22	-32,396.19	1,100,000.00	-2.9%
<b>Total Capital Outlay</b>	<b>732,629.11</b>	<b>4,470,650.00</b>	<b>16.4%</b>
<b>Debt Service</b>			
5110 2015 Refunding Bond Series	317,291.66	316,450.00	100.3%
5112 2015 C.O. Series	272,641.69	271,800.00	100.3%
5114 2020 C.O. Series	255,791.65	254,450.00	100.5%
<b>Total Debt Service</b>	<b>845,725.00</b>	<b>842,700.00</b>	<b>100.4%</b>
<b>General Government</b>			
5202 Bank Service Charges	130.00	200.00	65.0%
5204 Books & Subscriptions	0.00	300.00	0.0%
5206 Computer Hardware/Software	36,708.21	60,000.00	61.2%
5208 Copier Rental	3,784.00	3,600.00	105.1%
5210 Dues & Memberships	2,691.46	3,500.00	76.9%
5212 EDC Tax Payment	292,162.77	300,000.00	97.4%
5214 Election Expenses	0.00	0.00	0.0%
5216 Volunteer/Staff Events	5,041.10	8,000.00	63.0%
5218 General Communications	27,844.08	32,000.00	87.0%
5222 Office Supplies & Equip.	1,970.32	3,000.00	65.7%
5224 Postage	8,795.97	7,000.00	125.7%
5226 Community Cause	2,236.07	3,000.00	74.5%
5228 Town Council/Board Expense	4,798.75	10,000.00	48.0%
5230 Training & Education	1,830.33	1,500.00	122.0%
5232 Travel Expense	109.73	2,000.00	5.5%
5234 Staff Uniforms	787.30	800.00	98.4%
5236 Transfer to Reserve	0.00	0.00	0.0%
<b>Total General Government</b>	<b>388,890.09</b>	<b>434,900.00</b>	<b>89.4%</b>
<b>Municipal Court</b>			
5302 Books & Subscriptions	80.21	100.00	80.2%

**Town of Hickory Creek**  
**Budget vs. Actual Year to Date 91.63%**  
**October 2023 through August 2024**

	Oct '23 - Aug 24	Budget	% of Budget
5304 Building Security	10,068.84	18,023.00	55.9%
5312 Court Technology	8,672.05	15,963.00	54.3%
5314 Dues & Memberships	205.00	150.00	136.7%
5318 Merchant Fees/Credit Cards	6,816.19	5,000.00	136.3%
5322 Office Supplies/Equipment	702.03	1,000.00	70.2%
5324 State Court Costs	313,719.17	311,060.00	100.9%
5326 Training & Education	450.00	500.00	90.0%
5328 Travel Expense	0.00	500.00	0.0%
5332 Warrants Collected	-3,850.89	2,500.00	-154.0%
<b>Total Municipal Court</b>	<b>336,862.60</b>	<b>354,796.00</b>	<b>94.9%</b>
<b>Parks and Recreation</b>			
5402 Events	658.75	1,500.00	43.9%
5408 Tanglewood Park	7,239.01	45,000.00	16.1%
5412 KHCB	200.00	500.00	40.0%
5414 Tree City USA	400.00	500.00	80.0%
5416 Town Hall Park	189.00	0.00	100.0%
<b>Total Parks and Recreation</b>	<b>8,686.76</b>	<b>47,500.00</b>	<b>18.3%</b>
<b>Parks Corps of Engineer</b>			
5432 Arrowhead	36,776.29	38,500.00	95.5%
5434 Harbor Grove	3,616.43	10,000.00	36.2%
5436 Point Vista	11,119.66	15,000.00	74.1%
5438 Sycamore Bend	60,191.99	43,500.00	138.4%
<b>Total Parks Corps of Engineer</b>	<b>111,704.37</b>	<b>107,000.00</b>	<b>104.4%</b>
<b>Personnel</b>			
5502 Administration Wages	404,563.42	435,826.00	92.8%
5504 Municipal Court Wages	81,444.36	87,736.00	92.8%
5506 Police Wages	1,056,899.24	1,230,354.00	85.9%
5507 Police Overtime Wages	47,298.98	40,000.00	118.2%
5508 Public Works Wages	256,967.38	275,624.00	93.2%
5509 Public Works Overtime Wage	5,450.23	4,500.00	121.1%
5510 Health Insurance	216,000.03	255,054.00	84.7%
5512 Longevity	14,180.00	14,180.00	100.0%
5514 Payroll Expense	30,470.08	25,000.00	121.9%
5516 Employment Exams	1,462.50	2,500.00	58.5%
5518 Retirement (TMRS)	266,234.07	316,117.00	84.2%
5520 Unemployment (TWC)	3,268.30	2,500.00	130.7%
5522 Workman's Compensation	53,186.00	53,200.00	100.0%
<b>Total Personnel</b>	<b>2,437,424.59</b>	<b>2,742,591.00</b>	<b>88.9%</b>
<b>Police Department</b>			
5602 Auto Gas & Oil	55,364.88	50,000.00	110.7%
5606 Auto Maintenance & Repair	97,126.58	75,000.00	129.5%
5610 Books & Subscriptions	571.71	6,000.00	9.5%
5612 Computer Hardware/Software	65,401.73	75,500.00	86.6%
5614 Crime Lab Analysis	1,879.58	6,500.00	28.9%
5616 Drug Forfeiture	42,071.29	30,630.89	137.3%
5618 Dues & Memberships	0.00	500.00	0.0%
5626 Office Supplies/Equipment	1,722.84	2,000.00	86.1%
5630 Personnel Equipment	32,380.37	40,000.00	81.0%
5634 Travel Expense	964.73	2,000.00	48.2%
5636 Uniforms	11,334.84	12,000.00	94.5%
5640 Training & Education	8,028.42	8,500.00	94.5%
5644 Citizens on Patrol	0.00	250.00	0.0%
5646 Community Outreach	618.13	300.00	206.0%
5648 K9 Unit	1,173.13	5,000.00	23.5%
5650 Task Force Forfeiture	0.00	10,000.00	0.0%
<b>Total Police Department</b>	<b>318,638.23</b>	<b>324,180.89</b>	<b>98.3%</b>
<b>Public Works Department</b>			
5702 Animal Control Donation	697.61	1,000.00	69.8%
5704 Animal Control Equipment	3,018.64	1,000.00	301.9%

## Town of Hickory Creek

### Budget vs. Actual Year to Date 91.63%

October 2023 through August 2024

	Oct '23 - Aug 24	Budget	% of Budget
5706 Animal Control Supplies	8,178.58	5,000.00	163.6%
5708 Animal Control Vet Fees	15,212.44	25,000.00	60.8%
5710 Auto Gas & Oil	18,431.95	20,000.00	92.2%
5714 Auto Maintenance/Repair	18,633.39	10,000.00	186.3%
5716 Beautification	21,952.81	125,000.00	17.6%
5718 Computer Hardware/Software	6,774.19	3,500.00	193.5%
5720 Dues & Memberships	404.00	450.00	89.8%
5722 Equipment	-7,131.05	2,500.00	-285.2%
5724 Equipment Maintenance	30,455.22	22,000.00	138.4%
5726 Equipment Rental	97.90	1,000.00	9.8%
5728 Equipment Supplies	4,772.72	5,000.00	95.5%
5732 Office Supplies/Equipment	1,651.17	1,750.00	94.4%
5734 Communications	4,059.91	3,800.00	106.8%
5738 Training	815.00	800.00	101.9%
5740 Travel Expense	28.15	3,000.00	0.9%
5742 Uniforms	1,997.38	2,800.00	71.3%
5748 Landscaping Services	59,366.21	90,000.00	66.0%
<b>Total Public Works Department</b>	<b>189,416.22</b>	<b>323,600.00</b>	<b>58.5%</b>
<b>Services</b>			
5802 Appraisal District	12,385.98	16,525.00	75.0%
5804 Attorney Fees	87,827.31	50,000.00	175.7%
5806 Audit	15,500.00	15,500.00	100.0%
5808 Codification	0.00	2,000.00	0.0%
5812 Document Management	0.00	750.00	0.0%
5814 Engineering	133,655.68	175,000.00	76.4%
5816 General Insurance	51,906.86	51,915.00	100.0%
5818 Inspections	56,539.00	50,000.00	113.1%
5820 Fire Service	970,692.00	970,692.00	100.0%
5822 Legal Notices/Advertising	1,448.30	2,000.00	72.4%
5824 Library Services	1,392.60	1,200.00	116.1%
5826 Municipal Judge	12,515.00	13,800.00	90.7%
5828 Printing	1,451.86	2,500.00	58.1%
5830 Tax Collection	2,979.00	3,000.00	99.3%
5832 Computer Technical Support	44,615.46	45,000.00	99.1%
5838 DCCAC	0.00	7,228.00	0.0%
5840 Denton County Dispatch	0.00	38,508.00	0.0%
5844 Helping Hands	0.00	200.00	0.0%
5846 Span Transit Services	3,825.36	5,000.00	76.5%
5848 Recording Fees	470.00	500.00	94.0%
<b>Total Services</b>	<b>1,397,204.41</b>	<b>1,451,318.00</b>	<b>96.3%</b>
<b>Special Events</b>			
6012 Special Events	10,780.63	25,000.00	43.1%
<b>Total Special Events</b>	<b>10,780.63</b>	<b>25,000.00</b>	<b>43.1%</b>
<b>Utilities &amp; Maintenance</b>			
5902 Bldg Maintenance/Supplies	109,020.55	150,000.00	72.7%
5904 Electric	25,146.73	27,000.00	93.1%
5906 Gas	2,559.29	3,000.00	85.3%
5908 Street Lighting	44,719.14	45,000.00	99.4%
5910 Telephone	41,588.84	45,000.00	92.4%
5912 Water	23,907.49	25,000.00	95.6%
<b>Total Utilities &amp; Maintenance</b>	<b>246,942.04</b>	<b>295,000.00</b>	<b>83.7%</b>
<b>Total Expense</b>	<b>7,024,904.05</b>	<b>11,419,235.89</b>	<b>61.5%</b>
<b>Net Ordinary Income</b>	<b>1,043,788.07</b>	<b>0.00</b>	<b>100.0%</b>
<b>Net Income</b>	<b>1,043,788.07</b>	<b>0.00</b>	<b>100.0%</b>

## Town of Hickory Creek Expenditures over \$1,000.00 August 2024

Type	Date	Num	Name	Amount
<b>Ordinary Income/Expense</b>				
<b>Expense</b>				
<b>Capital Outlay</b>				
<b>5012 Streets &amp; Road Improvement</b>				
Check	08/06/2024	ACH	Capko Concrete Structures, LLC.	105,318.00
	Total 5012 Streets & Road Improvement			105,318.00
<b>5022 Parks and Rec Improvements</b>				
Bill	08/22/2024	Eagle ...	Capko Concrete Structures, LLC.	5,850.00
	Total 5022 Parks and Rec Improvements			5,850.00
<b>5024 Public Safety Improvements</b>				
Bill	08/08/2024	Inv #IN...	OmniWarn Public Safety	2,199.30
Bill	08/08/2024	Inv #IN...	OmniWarn Public Safety	1,440.00
	Total 5024 Public Safety Improvements			3,639.30
<b>5026 Fleet Vehicles</b>				
Check	08/20/2024	Debit	Enterprise Fleet Management	4,315.85
Bill	08/22/2024	Inv #1...	Priority Public Safety	22,173.36
Bill	08/22/2024	Inv #1...	Priority Public Safety	22,173.36
	Total 5026 Fleet Vehicles			48,662.57
	Total Capital Outlay			163,469.87
<b>General Government</b>				
<b>5212 EDC Tax Payment</b>				
Check	08/09/2024		Hickory Creek Economic Development	28,766.94
	Total 5212 EDC Tax Payment			28,766.94
<b>5218 General Communications</b>				
Bill	08/08/2024	Inv #5...	Bird's Printing & Copies	3,351.00
	Total 5218 General Communications			3,351.00
	Total General Government			32,117.94
<b>Parks Corps of Engineer</b>				
<b>5432 Arrowhead</b>				
Bill	08/22/2024	Sycam...	Capko Concrete Structures, LLC.	4,963.20
	Total 5432 Arrowhead			4,963.20
<b>5438 Sycamore Bend</b>				
Bill	08/22/2024	Sycam...	Capko Concrete Structures, LLC.	18,214.10
	Total 5438 Sycamore Bend			18,214.10
	Total Parks Corps of Engineer			23,177.30
<b>Personnel</b>				
<b>5510 Health Insurance</b>				
Check	08/02/2024		Renaissance Life & Health Insurance	1,230.32
Check	08/20/2024	Debit	Cigna	20,128.08
	Total 5510 Health Insurance			21,358.40
<b>5518 Retirement (TMRS)</b>				
Check	08/14/2024	Debit	TMRS	25,117.18
	Total 5518 Retirement (TMRS)			25,117.18
	Total Personnel			46,475.58
<b>Police Department</b>				
<b>5602 Auto Gas &amp; Oil</b>				
Check	08/23/2024	Debit	WEX Bank	6,091.69

## Town of Hickory Creek Expenditures over \$1,000.00 August 2024

Type	Date	Num	Name	Amount
			Total 5602 Auto Gas & Oil	6,091.69
			<b>5606 Auto Maintenance &amp; Repair</b>	
Bill	08/08/2024	Inv #1...	Christian Brothers Automotive	1,900.86
			Total 5606 Auto Maintenance & Repair	1,900.86
			<b>5612 Computer Hardware/Software</b>	
Bill	08/22/2024	Inv #2...	CloudGavel LLC	1,200.00
			Total 5612 Computer Hardware/Software	1,200.00
			Total Police Department	9,192.55
			<b>Public Works Department</b>	
			<b>5706 Animal Control Supplies</b>	
Bill	08/08/2024	Inv #IN...	Health Technology Professional Products	3,614.25
			Total 5706 Animal Control Supplies	3,614.25
			<b>5710 Auto Gas &amp; Oil</b>	
Check	08/23/2024	Debit	WEX Bank	2,393.45
			Total 5710 Auto Gas & Oil	2,393.45
			<b>5714 Auto Maintenance/Repair</b>	
Bill	08/08/2024	Inv #1...	Christian Brothers Automotive	7,494.34
			Total 5714 Auto Maintenance/Repair	7,494.34
			<b>5716 Beautification</b>	
Bill	08/08/2024	SS545...	FORSITE	1,195.00
			Total 5716 Beautification	1,195.00
			<b>5724 Equipment Maintenance</b>	
Check	08/05/2024	Debit	CHECKCARD 0805 PIRTEK MCKINNEY	1,013.31
			Total 5724 Equipment Maintenance	1,013.31
			<b>5748 Landscaping Services</b>	
Bill	08/08/2024	Inv #3...	D & D Commercial Landscape Management	15,466.19
			Total 5748 Landscaping Services	15,466.19
			Total Public Works Department	31,176.54
			<b>Services</b>	
			<b>5804 Attorney Fees</b>	
Bill	08/22/2024	Acct 1...	Hayes, Berry, White & Vanzant	1,700.12
			Total 5804 Attorney Fees	1,700.12
			<b>5814 Engineering</b>	
Bill	08/14/2024	Inv #1...	Half Associates, Inc.	4,877.87
Bill	08/14/2024	Inv #1...	Half Associates, Inc.	6,409.91
			Total 5814 Engineering	11,287.78
			<b>5818 Inspections</b>	
Check	08/08/2024	Debit	Build by I-Codes	3,810.00
Check	08/08/2024	Debit	Finney Code Consultants, LLC	1,195.00
			Total 5818 Inspections	5,005.00
			<b>5826 Municipal Judge</b>	
Check	08/02/2024		The Law Office of Cynthia Burkett	1,050.00
			Total 5826 Municipal Judge	1,050.00
			Total Services	19,042.90
			<b>Utilities &amp; Maintenance</b>	



**Town of Hickory Creek**  
**Expenditures over \$1,000.00**  
**August 2024**

Type	Date	Num	Name	Amount
<b>5902 Bldg Maintenance/Supplies</b>				
Bill	08/22/2024	Inv #14...	Merit Services	3,017.45
Total 5902 Bldg Maintenance/Supplies				3,017.45
<b>5904 Electric</b>				
Check	08/21/2024	Debit	Hudson Energy Services, LLC	2,307.20
Total 5904 Electric				2,307.20
<b>5908 Street Lighting</b>				
Check	08/21/2024	Debit	Hudson Energy Services, LLC	3,891.38
Total 5908 Street Lighting				3,891.38
Total Utilities & Maintenance				9,216.03
Total Expense				333,868.71
Net Ordinary Income				-333,868.71
<b>Net Income</b>				<b>-333,868.71</b>



TOWN OF HICKORY CREEK  
 ATTN KRISTI K ROGERS  
 1075 RONALD REAGAN AVE  
 HICKORY CREEK TX 75065-7633

**MONTHLY STATEMENT OF ACCOUNT**

**ACCOUNT:** 1668276015

**ACCOUNT NAME:** 2020 CERTIFICATES OF OBLIGATIONS

**STATEMENT PERIOD:** 08/01/2024 - 08/31/2024

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 5.3775%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 46 DAYS AND THE NET ASSET VALUE FOR 8/30/24 WAS 1.000051.

**MONTHLY ACTIVITY DETAIL**

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			1,528,804.79
08/02/2024	ACH WITHDRAWAL	6168329	105,318.00 -	1,423,486.79
08/30/2024	MONTHLY POSTING	9999888	6,516.89	1,430,003.68
	ENDING BALANCE			1,430,003.68

**MONTHLY ACCOUNT SUMMARY**

BEGINNING BALANCE	1,528,804.79
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	105,318.00
TOTAL INTEREST	6,516.89
ENDING BALANCE	1,430,003.68
AVERAGE BALANCE	1,426,884.14

**ACTIVITY SUMMARY (YEAR-TO-DATE)**

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
2020 CERTIFICATES OF OBLIGATIONS	0.00	105,318.00	54,268.19





TOWN OF HICKORY CREEK  
 ATTN KRISTI K ROGERS  
 1075 RONALD REAGAN AVE  
 HICKORY CREEK TX 75065-7633

**MONTHLY STATEMENT OF ACCOUNT**

**ACCOUNT:** 1668276007

**ACCOUNT NAME:** ANIMAL SHELTER FACILITY

**STATEMENT PERIOD:** 08/01/2024 - 08/31/2024

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 5.3775%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 46 DAYS AND THE NET ASSET VALUE FOR 8/30/24 WAS 1.000051.

**MONTHLY ACTIVITY DETAIL**

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			10,599.33
08/30/2024	MONTHLY POSTING	9999888	48.39	10,647.72
	ENDING BALANCE			10,647.72

**MONTHLY ACCOUNT SUMMARY**

BEGINNING BALANCE	10,599.33
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	48.39
ENDING BALANCE	10,647.72
AVERAGE BALANCE	10,599.33

**ACTIVITY SUMMARY (YEAR-TO-DATE)**

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
ANIMAL SHELTER FACILITY	0.00	0.00	379.49





TOWN OF HICKORY CREEK  
 ATTN KRISTI K ROGERS  
 1075 RONALD REAGAN AVE  
 HICKORY CREEK TX 75065-7633

**MONTHLY STATEMENT OF ACCOUNT**

**ACCOUNT:** 1668276016

**ACCOUNT NAME:** CORONAVIRUS LOCAL RECOVERY FUNDS

**STATEMENT PERIOD:** 08/01/2024 - 08/31/2024

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 5.3775%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 46 DAYS AND THE NET ASSET VALUE FOR 8/30/24 WAS 1.000051.

**MONTHLY ACTIVITY DETAIL**

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			62,523.71
08/30/2024	MONTHLY POSTING	9999888	285.57	62,809.28
	ENDING BALANCE			62,809.28

**MONTHLY ACCOUNT SUMMARY**

BEGINNING BALANCE	62,523.71
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	285.57
ENDING BALANCE	62,809.28
AVERAGE BALANCE	62,523.71

**ACTIVITY SUMMARY (YEAR-TO-DATE)**

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
CORONAVIRUS LOCAL RECOVERY FUNDS	0.00	686,932.64	8,239.45

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT LOGIC PARTICIPANT SERVICES AT 1-800-895-6442







TOWN OF HICKORY CREEK  
 ATTN KRISTI K ROGERS  
 1075 RONALD REAGAN AVE  
 HICKORY CREEK TX 75065-7633

**MONTHLY STATEMENT OF ACCOUNT**

**ACCOUNT:** 1668276009

**ACCOUNT NAME:** HARBOR LANE - SYCAMORE BEND

**STATEMENT PERIOD:** 08/01/2024 - 08/31/2024

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 5.3775%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 46 DAYS AND THE NET ASSET VALUE FOR 8/30/24 WAS 1.000051.

MONTHLY ACTIVITY DETAIL				
TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			88,942.41
08/30/2024	MONTHLY POSTING	9999888	406.22	89,348.63
	ENDING BALANCE			89,348.63

MONTHLY ACCOUNT SUMMARY	
BEGINNING BALANCE	88,942.41
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	406.22
ENDING BALANCE	89,348.63
AVERAGE BALANCE	88,942.41

ACTIVITY SUMMARY (YEAR-TO-DATE)			
ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
HARBOR LANE - SYCAMORE BEND	0.00	0.00	3,184.28

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT LOGIC PARTICIPANT SERVICES AT 1-800-895-6442





TOWN OF HICKORY CREEK  
 ATTN KRISTI K ROGERS  
 1075 RONALD REAGAN AVE  
 HICKORY CREEK TX 75065-7633

**MONTHLY STATEMENT OF ACCOUNT**

**ACCOUNT:** 1668276001

**ACCOUNT NAME:** INVESTMENT FUND

**STATEMENT PERIOD:** 08/01/2024 - 08/31/2024

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 5.3775%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 46 DAYS AND THE NET ASSET VALUE FOR 8/30/24 WAS 1.000051.

**MONTHLY ACTIVITY DETAIL**

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			10,773,808.95
08/02/2024	ACH WITHDRAWAL	6168330	100,000.00 -	10,673,808.95
08/12/2024	ACH DEPOSIT	6168648	750,000.00	11,423,808.95
08/23/2024	ACH WITHDRAWAL	6169218	150,000.00 -	11,273,808.95
08/30/2024	MONTHLY POSTING	9999888	50,774.32	11,324,583.27
	ENDING BALANCE			11,324,583.27

**MONTHLY ACCOUNT SUMMARY**

BEGINNING BALANCE	10,773,808.95
TOTAL DEPOSITS	750,000.00
TOTAL WITHDRAWALS	250,000.00
TOTAL INTEREST	50,774.32
ENDING BALANCE	11,324,583.27
AVERAGE BALANCE	11,117,357.34

**ACTIVITY SUMMARY (YEAR-TO-DATE)**

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
INVESTMENT FUND	2,557,133.81	2,156,200.00	414,039.78





TOWN OF HICKORY CREEK  
ATTN KRISTI K ROGERS  
1075 RONALD REAGAN AVE  
HICKORY CREEK TX 75065-7633

### MONTHLY STATEMENT OF ACCOUNT

**ACCOUNT:** 1668276002

**ACCOUNT NAME:** TURBEVILLE RD IMPROVEMENT FUND

**STATEMENT PERIOD:** 08/01/2024 - 08/31/2024

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 5.3775%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 46 DAYS AND THE NET ASSET VALUE FOR 8/30/24 WAS 1.000051.

#### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			104,989.18
08/30/2024	MONTHLY POSTING	9999888	479.50	105,468.68
	ENDING BALANCE			105,468.68

#### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	104,989.18
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	479.50
ENDING BALANCE	105,468.68
AVERAGE BALANCE	104,989.18

#### ACTIVITY SUMMARY (YEAR-TO-DATE)

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
TURBEVILLE RD IMPROVEMENT FUND	0.00	0.00	3,758.75



**TOWN OF HICKORY CREEK, TEXAS  
RESOLUTION NO. 2024-0916-\_\_\_**

**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 THE STATE OF TEXAS, THROUGH TXDOT, CONCERNING ROAD CLOSURES, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Hickory Creek (the “Town”), Texas is a Type A General Law Municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to enabling legislation of the State of Texas;

**WHEREAS**, the Town Council has been presented with an agreement for certain road closure requirements for public events (hereinafter the “Agreement”), a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference; and

**WHEREAS**, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the Town Council is of the opinion that the terms and conditions thereof should be approved, and that the Mayor shall be authorized to execute it on behalf of the Town of Hickory Creek.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Hickory Creek, Texas:

**Section 1:** That the Mayor of the Town of Hickory Creek, Texas, is hereby authorized to execute on behalf of the Town of Hickory Creek, Texas, the Agreement attached hereto as Exhibit A.

**Section 2:** This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED by the Town Council of the Town of Hickory Creek, Texas this 16<sup>th</sup> day of September, 2024.

---

Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

APPROVED AS TO FORM:

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Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

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Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas



STATE OF TEXAS §

COUNTY OF TRAVIS §

**AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY**

**THIS AGREEMENT** is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the “State,” and the Town of Hickory Creek, a municipal corporation, acting by and through its duly authorized officers, hereinafter called the “local government.”

**WITNESSETH**

**WHEREAS**, the State owns and operates a system of highways for public use and benefit, including the DCTA A-Train Rail Trail, in Denton, County; and

**WHEREAS**, the local government has requested the temporary closure of the DCTA A-Train Rail Trail for the purpose of rideATAXIA on November 2<sup>nd</sup> from 9:00AM – 12:30PM from Railroad Park in Lewisville to Arrowhead Park in Hickory Creek as described in the attached “Exhibit A,” hereinafter identified as the “Event;” and

**WHEREAS**, the Event will be located within the local government’s incorporated area; and

**WHEREAS**, the State, in recognition of the public purpose of the Event, wishes to cooperate with the Local Government so long as the safety and convenience of the traveling public is ensured and that the closure of the State’s right of way will be performed within the State’s requirements; and

**WHEREAS**, on the 16th day of September, 2024, the Local Government’s Town Council passed Resolution No. \_\_\_\_\_, attached hereto and identified as “Exhibit B,” establishing that the Event serves a public purpose and authorizing the local government to enter into this agreement with the State; and

**WHEREAS**, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

**WHEREAS**, this agreement has been developed in accordance with the rules and procedures of 43 TAC, Section 22.12;

**NOW, THEREFORE**, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

**A G R E E M E N T**

**Article 1. CONTRACT PERIOD**

This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

**Article 2. EVENT DESCRIPTION**

The physical description of the limits of the Event, including county names and highway numbers, the number of lanes the highway has and the number of lanes to be used, the proposed schedule of start and stop times and dates at each location, a brief description of the proposed activities involved, approximate number of people attending the Event, the number and types of animals and equipment, planned physical modifications of any man-made or natural features in or adjacent to the right of way involved shall be attached hereto along with a location map and identified as "Exhibit C."

**Article 3. OPERATIONS OF THE EVENT**

**A.** The local government shall assume all costs for the operations associated with the Event, to include but not limited to, plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.

**B.** The local government shall submit to the State for review and approval the construction plans, if construction or modifications to the State's right of way is required, the traffic control and signing plans, traffic enforcement plans, and all other plans deemed necessary by the State. The State may require that any traffic control plans of sufficient complexity be signed, sealed and dated by a registered professional engineer. The traffic control plan shall be in accordance with the latest edition of the Texas Manual on Uniform Traffic Control Devices. All temporary traffic control devices used on state highway right of way must be included in the State's Compliant Work Zone Traffic Control Devices List. The State reserves the right to inspect the implementation of the traffic control plan and if it is found to be inadequate, the local government will bring the traffic control into compliance with the originally submitted plan, upon written notice from the State noting the required changes, prior to the event. The State may request changes to the traffic control plan in order to ensure public safety due to changing or unforeseen circumstances regarding the closure.

**C.** The local government will ensure that the appropriate law enforcement agency has reviewed the traffic control for the closures and that the agency has deemed them to be adequate. If the law enforcement agency is unsure as to the adequacy of the traffic control, it will contact the State for consultation no less than 10 workdays prior to the closure.

**D.** The local government will complete all revisions to the traffic control plan as requested by the State within the required timeframe or that the agreement will be terminated upon written notice from the State to the local government. The local government hereby agrees that any failure to cooperate with the State may constitute reckless endangerment of the public and that the Texas Department of Public Safety may be notified of the situation as soon as possible for the appropriate action, and failing to follow the traffic control plan or State instructions may result in a denial of future use of the right of way for three years.

**E.** The local government will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.

**F.** The local government will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right of way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The local government will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the local government shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.

**G.** The local government hereby assures the State that there will be appropriate passage allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the local government's traffic control plan.

**H.** The local government will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right of way and restore or repair the State's right of way, including, but not limited to, roadway and drainage structures, signs, overhead signs, pavement markings, traffic signals, power poles and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practicable, restore the natural and cultural environment in accordance with federal and state law, including landscape and historical features.

#### **Article 4. OWNERSHIP OF DOCUMENTS**

Upon completion or termination of this agreement, all documents prepared by the local government will remain the property of the local government. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

#### **Article 5. TERMINATION**

**A.** This agreement may be terminated by any of the following conditions:

- (1) By mutual written agreement and consent of both parties.
- (2) By the State upon determination that use of the State's right of way is not feasible or is not in the best interest of the State and the traveling public.
- (3) By either party, upon the failure of the other party to fulfill the obligations as set forth herein.
- (4) By satisfactory completion of all services and obligations as set forth herein.

**B.** The termination of this agreement shall extinguish all rights, duties, obligations, and liabilities of the State and local government under this agreement. If the potential termination of this agreement is due to the failure of the local government to fulfill its contractual obligations as set forth herein, the State will notify the local government that possible breach of contract has occurred. The local government must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the local government does not remedy the breach to the satisfaction of the State, the local government shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

#### **Article 6. Reserved**

#### **Article 7. RESPONSIBILITIES OF THE PARTIES**

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

**Article 8. INSURANCE**

**A.** Prior to beginning any work upon the State’s right of way, the local government and/or its contractors shall furnish to the State a completed “Certificate of Insurance” (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period that the local government and/or its contractors are encroaching upon the State right of way.

**B.** In the event the local government is a self-insured entity, the local government shall provide the State proof of its self-insurance. The local government agrees to pay any and all claims and damages that may occur during the period of this closing of the highway in accordance with the terms of this agreement.

**Article 9. AMENDMENTS**

Any changes in the time frame, character, agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the local government and the State.

**Article 10. COMPLIANCE WITH LAWS**

The local government shall comply with all applicable federal, state and local environmental laws, regulations, ordinances and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State’s right of way.

**Article 11. LEGAL CONSTRUCTION**

In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

**Article 12. NOTICES**

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified U.S. mail, postage prepaid, addressed to such party at the following respective addresses:

<b>Local Government:</b>	<b>State:</b>
Town of Hickory Creek ATTN: Town Manager 1075 Ronald Reagan Hickory Creek, TX 75057	Texas Department of Transportation 4777 E. Highway 80 Mesquite, TX 75150-6643

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

**Article 13. SOLE AGREEMENT**

This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

Each party is signing this agreement on the date stated beside that party's signature.

**THE TOWN OF HICKORY CREEK**

Executed on behalf of the local government by:

By \_\_\_\_\_ Date: September 16, 2024  
Lynn C. Clark, Mayor

**THE STATE OF TEXAS**

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By \_\_\_\_\_ Date \_\_\_\_\_  
District Engineer

## **Exhibit A**

### **rideATAXIA Cycling Event by Friedreich's Ataxia Research Alliance**

**rideATAXIA is a family friendly cycling event starting and finishing at Railroad Park in Lewisville, TX on Saturday November 2<sup>nd</sup> . The estimated participation is 300 riders.**

**There are two routes that are entirely on the DCTA A-Train Rail Trail:**

- 1. A 15-Mile Route from Railroad Park in Lewisville, TX to Arrowhead Park in Hickory Creek, TX and back (Start Time 9:30AM)**
- 2. A 10-Mile Route from Railroad Park in Lewisville, Texas to the Highland Lake Train Station in Lewisville, TX and back (Start Time 10:00AM)**

**All riders are expected to be off the DCTA A-Train Rail Trail by 12:30PM.**



## **AGENDA INFORMATION SHEET**

**MEETING DATE:** September 16, 2024

**AGENDA ITEM:** Consider and act on permit application submitted by WalMart, 1035 Hickory Creek Blvd, Hickory Creek, Texas, for temporary storage containers for seasonal merchandise.

**SUMMARY:** Fees related to the permit application are \$750.00.





# TEMPORARY STORAGE / DONATION BOX

## Permit Application

Business Name: Walmart Phone: 940-321-5363

Address: 1035 Hickory Creek Blvd.

Applicant Name: Shealynn Murrell Phone: 409-658-0714

Address: 213 Oaklawn Dr Ponder, TX 76259

Property Owner: Walmart Stores Inc Phone: 1-800-Walmart

Purpose & Items to be Stored: Seasonal Merchandise

Delivery Date: \_\_\_\_\_ Removal Date: 12-31-2024

Supplier: Mobile Mini Phone: \_\_\_\_\_

Address: 9540 FM 1384 Justin, TX 76247

Type of Storage (container, trailer, etc): Container

Number of Units: 5 Dimensions: 40ft. x 8ft.

Attach copy of site plan showing container placement. Written permission of the property owner permission is required, if applicable. Containers may not be placed on an unapproved surface, where it may, in any manner, block fire lanes, required exits, parking or landscape areas, vehicular or pedestrian traffic, or creates any hazard to the public.

Permits for temporary storage containers are valid for a maximum of 60 days without prior Council approval. Failure to remove units at permit expiration could result in the issuance of citations. Donation box registration expires annually on anniversary date. Owner and / or applicant is responsible for assuring containers meet all requirements of Chapter 14 Article XXI Section 6 of the Code of Ordinances.

Applicant Signature: Shealynn Murrell Date: 8-31-24

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

Approved:  Yes  No Permit Number: \_\_\_\_\_

Receipt: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

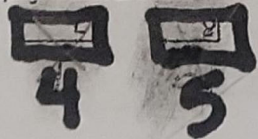
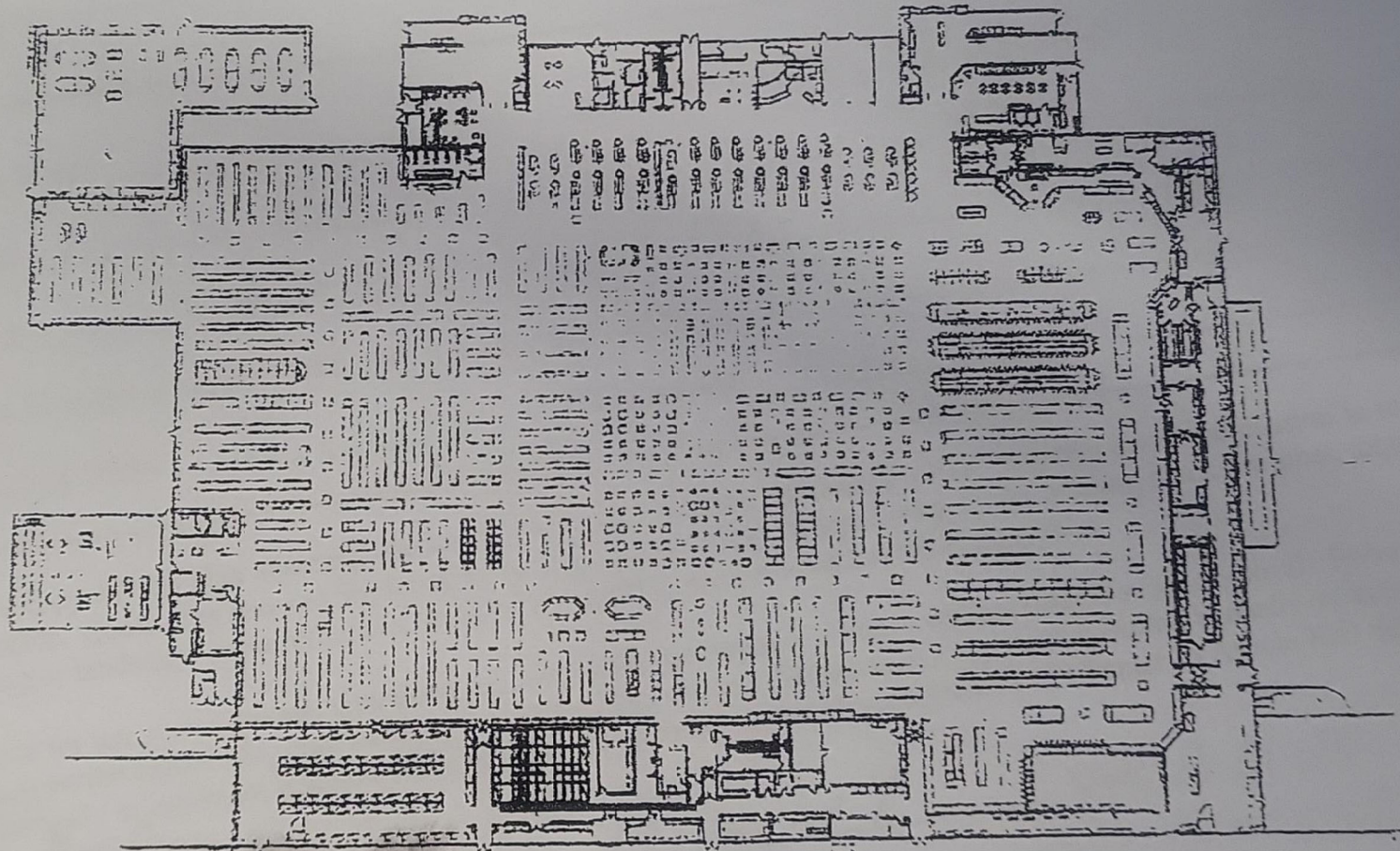
Denied: \_\_\_\_\_ Submitted to Council: \_\_\_\_\_



Store #3286

Hickory Creek, Texas

Trailer Guidelines



**TOWN OF HICKORY CREEK  
ORDINANCE NO. 2024-09-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF  
HICKORY CREEK, TEXAS RATIFYING THE PROPERTY TAX  
REVENUE INCREASE REFLECTED IN THE FISCAL YEAR 2024-2025  
BUDGET; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Hickory Creek is a Type A General Law Municipality located in Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, Section 102.007 of the Texas Local Government Code provides in part that the adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax revenue increase reflected in the budget; and

**WHEREAS**, the Fiscal Year 2024-2025 Budget, as adopted, requires raising more property taxes than last year's budget by \$133,492 and of that amount \$133,492 is tax revenue to be raised from new property added to the tax roll this year.

**WHEREAS**, the Fiscal Year 2024-2025 Budget, as adopted, requires raising more revenue from property taxes than in the previous year, and the Town Council desires by adoption of this Ordinance to ratify the property tax revenue increase reflected in the Town's Fiscal Year 2024-2025 Annual Budget.

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE  
TOWN OF HICKORY CREEK, TEXAS:**

**Section 1.** The Hickory Creek Town Council, as the governing body of the Town of Hickory Creek, Texas, having adopted the Fiscal Year 2024-2025 Annual Budget that will require raising more revenue from property taxes than in the previous year, hereby ratifies the property tax increase reflected in the Fiscal Year 2024-2025 Annual Budget.

**Section 2.** The above and foregoing premises are true and correct and are incorporated herein and made a part hereof.

**Section 3.** This Ordinance shall become effective from and after its date of passage in accordance with law.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas, this the 16<sup>th</sup> day of September, 2024.

\_\_\_\_\_  
Lynn C. Clark, Mayor  
Town of Hickory Creek

ATTEST:

\_\_\_\_\_  
Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

Councilmember Gibbons	_____Aye	_____Nay	_____Absent
Councilmember Wohr	_____Aye	_____Nay	_____Absent
Councilmember Gordon	_____Aye	_____Nay	_____Absent
Mayor Pro Tem Kenney	_____Aye	_____Nay	_____Absent
Councilmember Theodore	_____Aye	_____Nay	_____Absent

APPROVED AS TO FORM:

\_\_\_\_\_  
Dorwin L. Sargent, III Town Attorney  
Town of Hickory Creek, Texas

**TOWN OF HICKORY CREEK  
ORDINANCE NO. 2024-09-\_\_\_\_\_**

**ACCEPTING THE 2024 AD VALOREM TAX ROLL AND  
APPROVING THE 2024 AD VALOREM TAX RATE AND LEVY**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS, ACCEPTING THE 2024 CERTIFIED TAX ROLL FOR THE TOWN OF HICKORY CREEK; APPROVING THE 2024 AD VALOREM TAX RATE AND LEVYING \$0.223060 ON EACH ONE HUNDRED DOLLARS OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024 AND ENDING SEPTEMBER 30, 2025; THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE; PROVIDING FOR A DUE DATE AND DELINQUENCY DATE; PROVIDING FOR THE COLLECTION AND USE OF PENALTY AND INTEREST ON DELINQUENT TAXES; DIRECTING THE TAX ASSESSOR/COLLECTOR TO ASSESS AND COLLECT AD VALOREM PROPERTY TAXES; PROVIDING CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Hickory Creek is a Type A General Law Municipality located in Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the Town Council of the Town of Hickory Creek has received and reviewed the 2024 certified property tax rolls submitted by the Denton Central Appraisal District; and

**WHEREAS**, the no-new-revenue tax rate and voter-approval tax rate have been duly calculated and published in the town's official newspaper as prescribed by Chapter 26, Section 26.04 of the Tax Code and in accordance with the rules and regulations of the Texas State Property Tax Board; and

**WHEREAS**, a budget appropriating revenue generated by the collection of ad valorem taxes for the use and support of the municipal government of the Town of Hickory Creek has been approved and adopted by the Town of Hickory Creek Council as required by Title Four (4), Section 102.009 of the Local Government Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS:**

**SECTION 1  
APPROVING THE TAX RATE AND LEVY**

That there be and is hereby levied for the fiscal year 2024 on all taxable property, real personal and mixed, situated within the town limits of the Town of Hickory Creek, Texas, and not exempt by the Constitution of the State and valid State laws, a tax of \$0.223060 on each One Hundred Dollars (\$100.00) assessed value of taxable property, and shall be apportioned and distributed as follows:

(a) For the purpose of defraying current expenses of the municipal government of the town, a tax of \$0.151183 on each One Hundred Dollars (\$100.00) assessed value of taxable property.

(b) For the purpose of creating a sinking fund to pay the interest and principal on all outstanding bonds of the town not otherwise provided for, a tax of \$0.071877 on each One-Hundred Dollars (\$100.00) assessed value of taxable property which shall be applied to the payment of such interest and maturities of all outstanding bonds.

## **SECTION 2** **DUE DATE AND DELINQUENCY DATE**

All ad valorem taxes shall become due and payable on October 1, 2024, and all ad valorem taxes for the year shall become delinquent after January 31, 2025. There shall be no discount for payment of taxes prior to January 31, 2025. A delinquent tax shall incur all penalty and interest authorized by law, to wit: a penalty of six percent (6%) of the amount of the tax for the first calendar month it is delinquent plus one percent (1%) for each additional month or portion of a month the tax remains unpaid prior to July 1 of the year in which it becomes delinquent.

Provided, however, a tax delinquent on July 1 incurs a total penalty of twelve percent (12%) of the amount of the delinquent tax without regard to the number of months the tax has been delinquent. A delinquent tax shall also accrue interest at a rate of one percent (1%) for each month or portion of a month the tax remains unpaid. Taxes that remain delinquent on July 1, 2025, incur an additional penalty of fifteen percent (15%) of the amount of taxes, penalty, and interest due; such additional penalty is to defray costs of collection due to contract with the Town Attorney pursuant to Section 6.30 of the Property Tax Code.

## **SECTION 3** **DIRECTION TO THE TAX ASSESSOR/COLLECTOR**

The Town of Hickory Creek has entered into an interlocal cooperative agreement with Denton County which designates Denton County as the tax assessor/collector for The Town of Hickory Creek and is hereby directed to assess and collect, for the fiscal year 2024-2025, the rates and amounts herein levied, when such taxes are collected, to distribute such collections in accordance with this ordinance and the provisions stated in the interlocal cooperative agreement.

## **SECTION 4** **PENALTY AND INTEREST**

All taxes shall become a lien upon the property against which assessed and the Town tax assessor/collector for the Town of Hickory Creek, Texas shall, by virtue of the tax rolls, fix and establish a lien by levying upon such property, whether real or personal, for the payment of said taxes, penalty and interest, and the penalty and interest collected from such delinquent taxes shall be appropriated for the general fund of the Town of Hickory Creek, Texas. All delinquent ad valorem taxes and related penalties and interest for the tax years prior to 2024 which are collected during the fiscal year 2024-2025 shall be allocated to the general fund for maintenance and operation of the Town of Hickory Creek, Texas.

**SECTION 5**  
**CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all provisions of ordinances of the Town of Hickory Creeks Texas except where the provision of this ordinance are in direct conflict with the provisions of such ordinances, in which even the conflicting provisions of such ordinances are hereby repealed.

**SECTION 6**  
**SEVERABILITY**

That if any section, subsection paragraph, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of provision thereof, other than the part so decided to be invalid or unconstitutional.

**SECTION 7**  
**ENGROSSMENT AND ENROLLMENT**

The Town Secretary of the Town of Hickory Creek is hereby directed to engross and enroll this ordinance by copying the caption, publication clause, penalty clause, and effective date clause in the minutes of the Town Council of the Town of Hickory Creek and by filing this Ordinance in the ordinance records of the Town.

**SECTION 8**  
**PUBLICATION CLAUSE**

The Town Secretary of the Town of Hickory Creek, Texas is hereby directed to publish in the official newspaper of the Town of Hickory Creek, the caption and Effective Date clause of this Ordinance for two (2) days as required by Section 52.011 of the Texas Local Government Code.

**SECTION 9**  
**EFFECTIVE DATE**

This ordinance shall be in full force and effect from the date after its date of passage and publication in the official newspaper.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas, this the 16<sup>th</sup> day of September, 2024.

\_\_\_\_\_  
Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

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Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

Councilmember Gibbons	_____	Aye	_____	Nay	_____	Absent
Councilmember Wohr	_____	Aye	_____	Nay	_____	Absent
Councilmember Gordon	_____	Aye	_____	Nay	_____	Absent
Mayor Pro Tem Kenney	_____	Aye	_____	Nay	_____	Absent
Councilmember Theodore	_____	Aye	_____	Nay	_____	Absent

APPROVED AS TO FORM:

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Dorwin L. Sargent, Town Attorney  
Town of Hickory Creek, Texas