

**STATE OF TEXAS
COUNTY OF DENTON
TOWN OF HICKORY CREEK**

The town council of the Town of Hickory Creek, Texas convened in a regular session on February 21, 2017 at 6:30 p.m. in the council chambers, located at 1075 Ronald Reagan Avenue. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present and constituted a quorum of members:

Lynn Clark, Mayor
Tracee Elrod, Councilmember Place 1
Richard DuPree, Councilmember Place 2
Ian Theodore, Councilmember Place 5

Absent: Chris Gordon, Councilmember Place 3
Paul Kenney, Mayor Pro Tem

Also in attendance were:

John M. Smith, Jr., Town Administrator
Kristi K. Rogers, Town Secretary
Carey Dunn, Chief of Police
Lance Vanzant, Town Attorney

Mayor Clark called the meeting to order at 6:30 p.m.

Councilmember Theodore gave the invocation.

Mayor Clark led the Pledge of Allegiance to the U.S. and Texas Flags.

Proclamation

Mayor Clark acknowledged and sincerely thanked Mr. Larry Bowery for responding to those in need and for his devotion to his fellowman.

Mayor Clark proclaimed March 7, 2017 as “IHOP’s National Pancake Day and Shriners Hospitals for Children Day.”

Mayor Clark proclaimed the week of March 19th – March 25th, 2017 as “Poison Prevention Week”

Items of Community Interest

The Texas Oklahoma Patriot Shootout (T.O.P.S.) fishing tournament will be held April 28, 2017 and April 29, 2017.

Public Comment

There were no speakers for public comment.

Item B - Public Hearing

B (1) Public Hearing: To hear public opinion regarding a request submitted by Willis Logan for a replat of Lots 9 and 10 in the Point Vista Addition creating Lot 9R, Block 1, Point Vista addition, 0.248 acres situated in the W. Hammonds Survey, Abstract #405, Town of Hickory Creek, Denton County, Texas. The property is located at the eastern end of Point Vista Drive.

Mayor Clark called the public hearing to order at 6:39 p.m. With no one wishing to speak, the public hearing was closed at 6:39 p.m.

Item C – Consent Agenda Items

1. January 2017 Council Meeting Minutes
2. January 2017 Financial Statements
3. Consider and act on an agreement for professional engineering services for the TCEQ MS4 Annual Report.
4. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas amending the Town's Code of Ordinances, Chapter 3: Building Regulations; Article 3.02 Technical and Construction Standards; Division 1: Generally, by adding a new section.
5. Consider and act on a Cooperative Agreement between the U.S. Army Corp of Engineers and the Town of Hickory Creek for increased law enforcement services for Lewisville Lake 2017.

Motion: made by Councilmember Theodore to approve consent agenda Items C1 and C5 as presented. Motion seconded by Councilmember Elrod.

Ayes: Councilmember Elrod, Councilmember DuPree and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

Item D – Regular Agenda Items

D (1) - Consider and act on a final plat of Shadow Creek Estates Phase II described as Lots A3, A5 & 21R, Block A; Lots C3 & 3 through 12, Block C; Lots 1 through 8, Block D; Lots 13R, 1 through 18, Block E, being 15.710 acres of land situated in the M.E.P. & P.R.R Co. Survey, Abstract No. 915, Town of Hickory Creek, Denton County, Texas and a replat of Harbor Grove Estates Section II Lot 13, Block K, being .220 acres of land situated in the John Maloney Survey, Abstract No. 819, Town of Hickory Creek, Denton County, Texas and a replat of Shadow Creek Estates Phase I Lot 21, Block A, being 0.213 acres of land situated in the M.E.P. & P.R.R Co. Survey, Abstract No. 915, Town of Hickory Creek, Denton County, Texas

Motion: made by Councilmember Elrod to approve Item D (1). Motion seconded by Councilmember DuPree.

Ayes: Councilmember Elrod, Councilmember DuPree and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

D (2) - Consider and act on a minor replat of lots 6A-1 and 7A in the Country Oak Estates Addition, 7.90 acres out of the S. Linthicum Survey, Abstract #1600, Town of Hickory Creek, Denton County, Texas

Motion: made by Councilmember DuPree to approve Item D (2) as presented. Motion seconded by Councilmember Theodore.

Ayes: Councilmember Elrod, Councilmember DuPree and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

D (3) - Consider and act on a replat of Lots 9 and 10 in the Point Vista Addition creating Lot 9R, Block 1, Point Vista Addition, 0.248 acres situated in the W. Hammonds Survey, Abstract #405, Town of Hickory Creek, Denton County, Texas. The property is located at the eastern end of Point Vista Drive.

Motion: made by Councilmember Elrod to approve Item D (3) as presented. Motion seconded by Councilmember DuPree.

Ayes: Councilmember Elrod, Councilmember DuPree and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

D (4) - Consider and act on terminating an agreement for PID administrative services between MuniCap Inc. and the Town of Hickory Creek.

Motion: made by Councilmember Elrod to terminate the agreement for PID administrative services between MuniCap Inc. and the Town of Hickory Creek. Motion seconded by Councilmember DuPree.

Ayes: Councilmember Elrod, Councilmember DuPree and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

D (5) - Consider and act on an agreement for Hickory Creek Public Improvement District No. 1 Administration Services between PIDWorks, LLC. and the Town of Hickory Creek.

Motion: made by Councilmember Theodore to approve an agreement for Hickory Creek Public Improvement District No. 1 Administration Services between PIDWorks, LLC. and the Town of Hickory Creek. Motion seconded by Councilmember DuPree.

Ayes: Councilmember Elrod, Councilmember DuPree and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

D (6) - Consider and act on an agreement for Hickory Creek Public Improvement District No. 2 Administration Services between PIDWorks, LLC. and the Town of Hickory Creek.

Motion: made by Councilmember Elrod to approve an agreement for Hickory Creek Public Improvement District No. 2 Administration Services between PIDWorks, LLC. and the Town of Hickory Creek. Motion seconded by Councilmember Theodore.

Ayes: Councilmember Elrod, Councilmember DuPree and Councilmember Theodore.
Nays: None

MOTION PASSED UNANIMOUSLY

D (7) - Consider and act on the Second Amendment to an Interlocal Cooperation Agreement between Denton County, Texas and the Town of Hickory Creek, Texas associated with the reconstruction of Main Street.

Motion: made by Councilmember Theodore to approve the Second Amendment to an Interlocal Cooperation Agreement between Denton County, Texas and the Town of Hickory Creek, Texas associated with the reconstruction of Main Street. Motion seconded by Councilmember Elrod.

Ayes: Councilmember Elrod, Councilmember DuPree and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

D (8) - Discussion regarding the Town's Code of Ordinances, Chapter 4: Business Regulations; Article 4.06 Oil and Gas Wells.

A discussion was held regarding the distance requirements for the development of property adjacent to existing oil and gas wells.

D (9) - Consider and act on the Annual Racial Profiling Report for 2016.

Chief Cary Dunn presented the Annual Racial Profiling Report for 2016.

Motion: made by Councilmember DuPree to accept the Annual Racial Profiling Report for 2016 as presented. Motion seconded by Councilmember Theodore.

Ayes: Councilmember Elrod, Councilmember DuPree and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

D (10) - Consider and act on nomination of the 2016 Hickory Creek Business of the Year.

No action taken.

D (11) - Consider and act on nomination of the 2016 Hickory Creek Citizen of the Year.

No action taken.

D (12) - Consider and act on nomination of the 2016 Hickory Creek Scholar of the Year.

No action taken.

D (13) - Consider and act on nomination of the 2016 Hickory Creek Sportsman of the Year.

No action taken.

D (14) - Discussion regarding the Boys & Girls Club of North Central Texas Kids and Tail Waggers event to be held on March 25, 2017.

Discussion was held regarding Kids and Tail Waggers.

D (15) - Discussion regarding the 2017 Texas Oklahoma Patriot Shootout (T.O.P.S.) to be held April 28th and 29th, 2017.

Discussion was held regarding Texas Oklahoma Patriot Shootout (T.O.P.S.).

D (16) - Discussion regarding Mayor of the Day program.

Mayor Clark, in cooperation with the Lake Dallas Independent School District, will recognize a student chosen by the school district as Mayor of the Day during a council meeting.

D (17) - Discussion regarding current road and sidewalk projects.

John Smith, town administrator, provided an overview to council regarding current road and sidewalk projects.

Item E - Executive Session: The Town Council convened into executive session at 7:39 p.m. pursuant to Chapter 551 of the Texas Government Code Section 551.071, Consultation with City Attorney and other legal counsel on matters in which the duty of the attorney(s) 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.

1. Discussion regarding certain real property legally described as A1163A J.W. Simmons, TR 37, 19.795 Acres located (South of Swisher Road, East of Ronald Reagan Avenue, North of Turbeville Road and West of Point Vista Road.)
2. Consider and Act on an Off-Site Facilities Agreement between the Town of Hickory Creek, LCMUA, Westwood Residential and the Brown family for development of infrastructure to serve a 24.56-acre tract of land within the Town's extraterritorial jurisdiction.

Item F - Reconvene into Open Session: The Town Council reconvened into open session at 8:49 p.m.

No action taken.

Item G – Adjournment

Motion: made by Councilmember Elrod to adjourn the meeting. Motion seconded by Councilmember Theodore.

Ayes: Councilmember Elrod, Councilmember DuPree and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

Town of Hickory Creek
February 21, 2017
Page 6

The meeting did then stand adjourned at 8:50 p.m.

Approved:

Attest:

Lynn C. Clark, Mayor
Town of Hickory Creek

Kristi K. Rogers, Town Secretary
Town of Hickory Creek