

**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 April 17, 2018 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
Chris Gordon, Councilmember Place 3
Paul Kenney, Mayor Pro Tem
Ian Theodore, Councilmember Place 5

Also in attendance were:

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

“Mayor for a Day” Jayshon Hardimon called the meeting to order at 6:30 p.m.

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

Councilmember Kenney gave the invocation.

Presentation of Awards

Mayor Clark presented the following awards. 2017 Business of the Year to Whataburger. 2017 Citizen of the Year to Robert and Mary Armstrong. 2017 Scholar of the Year to Morgan Mayfield and Brendan Leyden. 2017 Sportsman of the Year to Mason Meeks.

Proclamation

Mayor Clark congratulated and recognized Jayshon Hardimon as Hickory Creek “Mayor for a Day.”

Items of Community Interest

Officer Joe Leggett was recognized as the First Responder of the Month for April 2018 by the Lake Cities Chamber of Commerce.

Kids and Tailwaggers benefiting the Boys & Girls Clubs of North Central Texas was held on Saturday, March 31, 2018. The event was a huge success.

The Boys and Girls Club of North Central Texas 12th Annual Benefit Golf Tournament will be held April 26, 2018.

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BGC World Music Festival benefiting the Boys & Girls Clubs of North Central Texas will be held Saturday, May 12, 2018 in Arrowhead Park.

Public Comment

Eddy Davis, 1500 Turbeville Road, stated he was here on behalf of his landlord Ron Furtick. His mother has lived in Hickory Creek Estates for many years. Four years ago, when his mother almost passed away, he and his wife moved here from Georgia. They stayed with his mother until she was well and then Mr. Furtick rented them a place next door to her. He thanked Mr. Furtick for being a god send to him and his mother.

Ron Furtick, 1500 Turbeville Road, stated he received the letter from the attorney regarding the ethics complaint he filed. The letter was sent to the wrong address. He wants to work with the council and would like for them to be his friends. Dealing with Hickory Creek is difficult. In no way shape or form does he accept the argument in the letter he received from the town attorney regarding the ethics complaint. The ethics board should convene and decide if there is a conflict of interest especially during an election. Mr. Furtick claimed property the town was considering purchasing was previously owned by the city manager. Development will roll right over Hickory Creek and one of the greatest opportunities anyone has ever had will be wasted.

Item B - Public Hearing

No public hearing.

Item C – Consent Agenda Items

1. March 2018 Council Meeting Minutes
2. March 2018 Financial Statements
3. Resolution designating Whataburger as the 2017 Business of the Year.
4. Resolution designating Robert and Mary Armstrong as the 2017 Citizen of the Year.
5. Resolution designating Morgan Mayfield and Brendan Leyden as the 2017 Scholar of the Year.
6. Resolution designating Mason Meeks as the 2017 Sportsman of the Year.
7. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas correcting a clerical error in Chapter 10 Subdivision Regulations; Article VIII, Plat Requirements.
8. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas correcting a clerical error in Chapter 14: Zoning, Article IV: Classification of Districts, Section 3, Subsection 13.

Motion: made by Councilmember Gordon to approve consent agenda Items C1 and C8 as presented. Motion seconded by Councilmember Elrod.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Councilmember Kenney and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

Item D – Regular Agenda Items

D (1) - Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement by and between the Town of Hickory Creek, Texas and Oncor Electric Delivery Company, LLC.

Jeffrey McSpedden, Director of Public Works, provided an overview to the town council regarding streetlight maintenance and related costs for LED streetlights. Mr. McSpedden recommend Option 2. Oncor would change all streetlights as they burnout to a LED fixture. The City would be responsible for the payment of the appropriate LED streetlight rate in accordance the Oncor's Tariff for Retail Delivery Service, Street Lighting Service.

Motion: made by Councilmember Gordon to approve resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement by and between the Town of Hickory Creek, Texas and Oncor Electric Delivery Company, LLC. Option 2. Motion seconded by Councilmember DuPree.

Ayes: Councilmember DuPree, Councilmember Gordon, Councilmember Kenney and Councilmember Theodore.

Nays: None

Abstained: Councilmember Elrod

MOTION PASSED UNANIMOUSLY

D (2) - Consider and act on a resolution by the Town of Hickory Creek, Texas denying the distribution cost recovery factor rate request of Oncor Electric Delivery Company, LLC made on or about April 5, 2018; authorizing participation in a coalition of similarly situated cities; authorizing participation in related rate proceedings; requiring the reimbursement of municipal rate case expenses; authorizing the retention of special counsel.

Motion: made by Councilmember Gordon to approve resolution 2018-0417-6 as presented. Motion seconded by Councilmember Theodore.

Ayes: Councilmember DuPree, Councilmember Gordon, Councilmember Kenney and Councilmember Theodore.

Nays: None

Abstained: Councilmember Elrod

MOTION PASSED UNANIMOUSLY

D (3) - Consider and act on a resolution nominating one candidate to a slate of nominees for the board of managers of the Denco Area 9-1-1 District.

Motion: made by Councilmember Kenney to approve a resolution nominating one candidate to a slate of nominees for the board of managers of the Denco Area 9-1-1 District. Motion seconded by Councilmember Elrod.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Councilmember Kenney and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

D (4) Consider and act on an agreement for professional engineering services with Halff Associates, Inc. for Sycamore Bend Road Widening.

Motion: made by Councilmember Kenney to approve an agreement for professional engineering services with Halff Associates, Inc. for Sycamore Bend Road Widening in amount not to exceed \$12,240.00. Motion seconded by Councilmember DuPree.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Councilmember Kenney and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

D (5) Consider and act on an agreement for professional engineering services with Halff Associates, Inc. for Sycamore Bend Trail.

Motion: made by Councilmember Theodore to approve an agreement for professional engineering services with Halff Associates, Inc. for Sycamore Bend Trail in an amount not to exceed \$22,750.00. Motion seconded by Councilmember Elrod.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Councilmember Kenney and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

D (6) - Consider and act on an ordinance amending the 2017-2018 Fiscal Year Budget.

Motion: made by Councilmember Theodore to approve an ordinance amending the 2017-2018 Fiscal Year Budget. Motion seconded by Councilmember Gordon.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Councilmember Kenney and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

D (7) - Consider and act on purchasing equipment for the public works department.

Motion: made by Councilmember Gordon to approve the BuyBoard Quote by Associated Supply Company Inc. to purchase a backhoe in an amount not to exceed \$88,639.40. Motion seconded by Councilmember DuPree.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Councilmember Kenney and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

D (8) - 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 will convene into executive session pursuant to Texas Government Code 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.

Town Council did not convene into executive session.

Item F - Reconvene into Open Session:

Town Council did not convene into executive session.

Item G – Adjournment

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

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Councilmember Kenney and Councilmember Theodore.

Nays: None

MOTION PASSED UNANIMOUSLY

The meeting did then stand adjourned at 7:56 p.m.

Approved:

Attest:

Lynn C. Clark, Mayor
Town of Hickory Creek

Kristi K. Rogers, Town Secretary
Town of Hickory Creek