

**SPECIAL MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
TUESDAY, MARCH 26, 2019**

**MINUTES**

Mayor Clark made an announcement the meeting would not be called to order until a quorum was present.

**Call to Order**

Mayor Clark called the meeting to order at 7:46 p.m.

**Roll Call**

The following members were present:

Mayor Lynn Clark  
Councilmember Tracee Elrod  
Councilmember Richard DuPree  
Councilmember Chris Gordon  
Mayor Pro Tem Paul Kenney

The following member was absent:

Councilmember Ian Theodore

Also in attendance:

John M. Smith, Jr., Town Administrator  
Kristi K. Rogers, Town Secretary  
Lance Vanzant, 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**

Mayor Pro Tem Kenney gave the invocation.

**Items of Community Interest**

The Arbor Day Foundation named Town of Hickory Creek a Tree City for the 11<sup>th</sup> year in honor of its commitment to effective urban forest management.

**Public Comment**

There were no speakers for public comment.

**Public Hearing**

1. Public Hearing: To hear public opinion regarding the voluntary annexation of approximately 38.8629 acres of land situated in the H.H. Swisher Survey, Abstract 1120, TR 50 and TR 50A(1)(PT) Denton County Texas.

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Mayor Clark called the public hearing to order at 7:48 p.m. With no one wishing to speak, the public hearing was closed at 7:49 p.m.

2. Public Hearing: To hear public opinion regarding a request from Miklos Cinclair, PLLC on behalf of McCrorey Land and Cattle, LLC to change the zoning designation from PB-1 Professional Building District to SF-3 Residential District on two (2) tracts of land legally described as A1598A S.A. Jones, Tract 18A, .25 acres, and A1598A S.A. Jones, Tract 19, .513 acres, Town of Hickory Creek, Denton County, Texas. The properties are located in the 1000 Block of Hickory Creek Road.

Mayor Clark called the public hearing to order at 7:50 p.m.

Duane Brignac, 1800 Valley View Lane, Farmers Branch, Texas, with Miklos Cinclair PLLC, stated he was here on behalf on McCrorey Land and Cattle to request a zoning change on approximately 0.75 acres of land from PB-1 to SF-3. The property is located south of Hickory Creek Road and west of Interstate 35. The surrounding uses of the property include SF-3 west of the property, SF-2 east of the property and PD which is residential to the North. PB-1 does not allow for single family use however when the property was rezoned there was an existing home on the property. The home was destroyed by an accidental fire and due to safety concerns was torn down. The zoning request is being made for several reasons. The current zoning does not allow for residential use. It would allow for a house to be built on the property as it was before. The use is compatible with the surrounding properties in all directions. The size of the property restricts the use of the property other than single family. Adjoining neighbors spoke in favor of the rezoning at the Planning and Zoning meeting on March 6, 2019.

With no one else wishing to speak, the public hearing was closed at 7:55 p.m.

### Consent Agenda

3. Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an interlocal cooperation agreement for Shared Governance Communications and Dispatch Services System between the Town of Hickory Creek Police Department and Denton County.
4. Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute a contract for Increased Law Enforcement for Lewisville Lake lying within Hickory Creek, Texas between the Town of Hickory Creek and U.S. Army Corp of Engineers, Fort Worth District.

Motion made by Councilmember Gordon to approve consent agenda items 3 and 4, Seconded by Councilmember Elrod.

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

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### Regular Agenda

5. Consider and act on an ordinance to change the zoning on two tracts of land described as A1598A S.A. Jones, Tract 18A, .25 acres, and A1598A S.A. Jones, Tract 19, .513 acres, Town of Hickory Creek, Denton County, Texas from its current zoning designation of PB-1 Professional Building District to SF-3 Residential District

Motion made by Councilmember Gordon to approve Ordinance 2019-03-811 as presented, Seconded by Councilmember Elrod.

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

6. Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute a development agreement by and between the Town of Hickory Creek, Texas and KSW Holding Hickory Creek, LP.

No action taken.

7. Consider and act on an ordinance providing for the annexation into the Town of Hickory Creek, Texas of territory more specifically described herein and comprising approximately 38.8629 acres of land situated in the H.H. Swisher Survey, Abstract 1120, TR 50 and TR 50A(1)(PT), Denton County, Texas, for all municipal purposes.

No action taken.

8. Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement for collection of soft recyclables by and between the Town of Hickory Creek and Great Lakes Recycling, DBA Simple Recycling.

Motion made by Councilmember Elrod to approve a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement for collection of soft recyclables by and between the Town of Hickory Creek and Great Lakes Recycling, DBA Simple Recycling, Seconded by Councilmember DuPree.

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

9. Consider and act on bids submitted for the 2019 Sidewalks Project.

Motion made by Councilmember Elrod to accept the bid from GRod Construction in the amount of \$321,954.00 for the 2019 Sidewalks Project, Seconded by Councilmember DuPree.

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

10. Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending Ordinance 2018-09-801; the 2018-2019 budget as adopted.

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Motion made by Mayor Pro Tem Kenney to approve an ordinance amending Ordinance 2018-09-801 as presented, Seconded by Councilmember Gordon.

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

11. Consider and act on allocating additional funds, location and design for gateway monument signage.

No action taken.

12. Discussion regarding current road and sidewalk projects.

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

**Adjournment**

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

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

The meeting did then stand adjourned at 8:20 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