

**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 May 16, 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  
Chris Gordon, Councilmember Place 3  
Paul Kenney, Mayor Pro Tem, arrived at 8:15 p.m.  
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  
Dorwin Sargent, Town Attorney

Mayor Clark called the meeting to order at 6:31 p.m.

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

Councilmember Theodore gave the invocation.

**Items of Community Interest**

The 16<sup>th</sup> Annual Lake Cities Education Foundation Memorial Golf Tournament will be held on Monday, June 5, 2017 at Oakmont Country Club.

National Police Week is Monday, May 15, 2017 through Sunday, May 21, 2017.

The 5<sup>th</sup> Annual Texas Oklahoma Patriot Shootout (T.O.P.S.) Fishing Competition was held on April 28<sup>th</sup> and 29<sup>th</sup>.

**Public Comment**

There were no speakers for public comment.

**Item B - Public Hearing**

**B (1) Public Hearing: To hear public opinion regarding a request for a minor plat of Lots 1 and 2, Block A of the Farrington Addition, being 7.26 acres out of the J. Ramsey Survey, Abstract No. 1075 in the Town of Hickory Creek, Denton County, Texas. The property is located in the 130 block of South Hook Street.**

Mayor Clark called the public hearing to order at 6:35 p.m. With no one wishing to speak, the public hearing was closed at 6:35 p.m.

**Item C – Consent Agenda Items**

1. April 2017 Council Meeting Minutes
2. April 2017 Financial Statements

**Motion:** made by Councilmember Gordon to approve consent agenda Items C1 and C2 as presented. Motion seconded by Councilmember DuPree.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**Item D – Regular Agenda Items**

**D (1) - Presentation of Certificates of Election and Administration of Oaths of Office to candidates declared elected.**

Mayor Lynn Clark presented Certificates of Election and administered Oaths of Office to Councilmember Tracee Elrod, Councilmember Chris Gordon and Councilmember Ian Theodore.

**D (2) - Ceremonial Oath of Office and Presentation of Badge to Sergeant Craig Hubbert.**

Chief Carey Dunn administered the Oath of Office to Sergeant Craig Hubbert.

**D (3) - Consider and act on a Master Thoroughfare Plan Update prepared by Halff Associates, Inc.**

**Motion:** made by Councilmember Theodore to approve the Master Thoroughfare Plan Update prepared by Halff Associates. Motion seconded by Councilmember Elrod.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (4) - Consider and act on a minor plat of Lots 1 and 2, Block A, Farrington Addition, being 7.26 acres out of the J. Ramsey Survey, Abstract No. 1075, in the Town of Hickory Creek, Denton County, Texas. The properties are located in the 100 block of South Hook Street.**

**Motion:** made by Councilmember Gordon to approve a minor plat of Lots 1 and 2, Block A, Farrington Addition as presented. Motion seconded by Councilmember Theodore.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (5) - Consider and act on a site and landscape plan for McDonalds located at 8300 S. Stemmons Freeway.**

**Motion:** made by Councilmember Elrod to approve the site and landscape plan for McDonalds located at 8300 S. Stemmons Freeway. Motion seconded by Councilmember DuPree.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (6) - Consider and act on an amended plat for Steeplechase South Addition, Phase I, a 112.40 acre tract situated in the M.E.P. & P.R.R. Survey, Abstract No. 915, Town of Hickory Creek, Denton County, Texas.**

**Motion:** made by Councilmember Elrod to approve an amended plat for Steeplechase South Addition, Phase 1 as presented. Motion seconded by Councilmember Gordon.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (7) - Consider and act on renewing the contract with Waste Management for Solid Waste Disposal and Recycling Services or authorizing the town administrator to proceed with request for proposals.**

T.J. Gilmore, Waste Management, stated the current contract between the Town of Hickory Creek and Waste Management expires September 2017. Mr. Gilmore presented an overview of services Waste Management currently provides and additional services available to residents if the contracts is renewed.

**Motion:** made by Councilmember Theodore to authorize the town administrator to negotiate the contract renewal with Waste Management as presented tonight with additional consideration for the following; a minimum of one solar powered trash compactor for the parks, a minimum of \$3,000 yearly for special events and utilization of the government CPI for yearly rate increases.

Motion seconded by Councilmember Gordon.

**Ayes:** Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Councilmember Kenny and Councilmember Theodore.

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (8) - Consider and act on permit application from Walmart, 1035 Hickory Creek Blvd., Hickory Creek, Texas 75065, for temporary storage containers for the purpose of remodeling and related fees.**

**Motion:** made by Councilmember Gordon to approve the permit application from Walmart for twenty temporary storage containers for three months with a fee of \$3,000. Motion seconded by Councilmember Theodore.

**Ayes:** Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Councilmember Kenny and Councilmember Theodore.

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (9) - 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 DuPree to approve a resolution nominating Sue Tejml for the board of managers of the Denco 9-1-1 District. Motion seconded by Councilmember Elrod.

**Ayes:** Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Councilmember Kenny and Councilmember Theodore.

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (10) - Consider and act on an interlocal cooperation agreement for Shared Governance Communications and Dispatch Services System with Denton County, Texas.**

**Motion:** made by Councilmember Elrod to approve an interlocal cooperation agreement for Shared Governance Communications and Dispatch Services System with Denton County, Texas in an amount not to exceed \$27,950. Motion seconded by Councilmember Theodore.

**Ayes:** Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Councilmember Kenny and Councilmember Theodore.

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (11) - Consider and act on appointments to the Code of Ethics Board.**

Tracee Elrod would like to reappoint Kim Krill; Chris Gordon would like to appoint James Schultz and Ian Theodore would like to reappoint Rick Carruth.

**Motion:** made by Councilmember Gordon to approve the reappointments and appointments as presented. Motion seconded by Councilmember Kenney.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (12) - Consider and act on appointments to the Parks and Recreation Board.**

**Motion:** made by Councilmember Theodore to reappoint Susan Irwin to Place 1, Sharon Stewart to Place 3, Melissa Hentschel to Place 5 and Lisa Rowell to Place 7. Motion seconded by Councilmember Kenney.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (13) - Consider and act on appointments to the Planning and Zoning Commission.**

**Motion:** made by Councilmember Kenney to reappoint Mike Thames to Place 1, Jaycee Holston to Place 3, Don Rowell to Place 5 and Glenn Williams to Place 7. Motion seconded by Councilmember Elrod.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (14) - Consider and act on appointment of Mayor Pro Tem.**

**Motion:** made by Councilmember Elrod to appoint Councilmember Paul Kenney as Mayor Pro Tem. Motion seconded by Councilmember DuPree.

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

**Nays:** None

**Abstained:** Councilmember Kenney.

**MOTION PASSED**

**D (15) - Appointments of council liaisons for the various boards.**

Mayor Clark appointed the following liaisons for the various boards: Tracee Elrod - EDC, Richard DuPree - Police and Animal Shelter Advisory Committee, Chris Gordon – Parks and Recreation, Paul Kenney- Planning and Zoning Commission, Ian Theodore – Board of Adjustments.

**D (16) - Discussion regarding current road and sidewalk projects.**

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

**D (17) - Consider and act on a realignment of the extension of Point Vista Road.**

**Motion:** made by Councilmember Gordon to instruct the town administrator to move forward with realignment as exhibited by the town thoroughfare plan. Motion seconded by Councilmember Elrod.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**Item E - Executive Session: The Town Council convened into executive session at 9:18 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 and Section 551.072, Deliberation regarding real property to deliberate the purchase, exchanges, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party.**

1. Discussion related to the possible acquisition of an easement for the construction of the extension of Point Vista Road from Ronald Reagan Avenue to Parkridge Road.

**Item F - Reconvene into Open Session: The Town Council reconvened into open session at 10:06 p.m.**

**Motion:** made by Councilmember Gordon to authorize the town administrator to move forward as instructed in executive session. Motion seconded by Councilmember Theodore.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**Item G – Adjournment**

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

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

The meeting did then stand adjourned at 10:13 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