

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

The town council of the Town of Hickory Creek, Texas convened in a special session on September 6, 2016 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  
Richard DuPree, Councilmember Place 2  
Chris Gordon, Councilmember Place 3  
Paul Kenney, Mayor Pro Tem  
Ian Theodore, Councilmember Place 5

Absent: Tracee Elrod, Councilmember Place 1

Also in attendance were:

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

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

Following the Pledge of Allegiance, Councilmember Kenney gave the invocation.

**Proclamation**

Mayor Clark proclaimed September 17<sup>th</sup> through September 23<sup>rd</sup>, 2016 as Constitution Week in the Town of Hickory Creek.

**Items of Community Interest**

The recycling event was a great success thanks to the efforts of the town administrator and public works department.

The Parks and Recreation Board will host a Halloween event in Sycamore Bend Park on October 22, 2016. The event is family friendly and activities for all ages are planned.

An Arbor Day celebration will be held on November 5, 2016 in Sycamore Bend Park.

The annual tree lighting will be held Friday, December 2, 2016 beginning at 6:00 p.m.

Thanks to all those who contributed to the efforts of Hickory Creek Helping Hands to assist the Hickory Creek family who recently suffered a devastating house fire.

**Public Comment**

There were no speakers for public comment at this meeting.

**Item B - Public Hearing**

**B (1) Public Hearing: To hear public opinion regarding the proposed 2016 Ad Valorem (property tax) rate of \$0.387319 per \$100 valuation for the Town of Hickory Creek.**

Mayor Clark called the public hearing to order at 6:38 p.m. With no one wishing to speak, the public hearing was closed at 6:38 p.m.

**B (2) Public Hearing: To hear public opinion on the proposed 2016--2017 Fiscal Year Budget.**

Mayor Clark called the public hearing to order at 6:38 p.m. With no one wishing to speak, the public hearing was closed at 6:39 p.m.

**Item C – Consent Agenda Items**

No consent agenda items.

**Item D – Regular Agenda Items**

**D (1) – Consider and act on permit application from Wal-Mart, 1035 Hickory Creek Blvd., Hickory Creek, Texas 75065, for temporary storage containers for seasonal merchandise and related fees.**

**Motion:** made by Councilmember Kenney to approve the permit application from Wal-Mart for eleven temporary storage containers with a fee of \$2, 200. Motion seconded by Councilmember DuPree.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (2) - Consider and act on a resolution of the Town of Hickory Creek, Texas determining the annual maintenance and service costs of the authorized improvements, to be financed by the Hickory Creek Public Improvement District No. 1, consisting of approximately 38.9197 contiguous acres located at the Northeast corner of the intersection of Parkridge Road and Turbeville Road; making an annual revision to the service plan and assessment plan, including annual proposed assessment rolls for maintenance and services; directing the filing of the proposed assessment rolls for maintenance and services with the town secretary; calling for a special meeting and noticing a public hearing for September 20, 2016 to consider an ordinance levying assessments for maintenance and services on property located within the Hickory Creek Public Improvement District No. 1; directing the filing of the proposed maintenance and services assessment rolls with the town secretary to make available for public inspection; directing town staff to publish and mail notice of said public hearing; and resolving other matters incident and related thereto.**

Robert Miklos, attorney representing the developer Centurion American as well as Abdi Yassin, representing MuniCap, the administrator for Hickory Creek PID No.1 were present.

**Motion:** made by Councilmember Gordon to approve a resolution of the Town of Hickory Creek, Texas determining the annual maintenance and service costs of the authorized improvements, to be financed by the Hickory Creek Public Improvement District No. 1 in the amount of \$71,865.07. Motion seconded by Councilmember Theodore.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (3) - Consider and act on Hickory Creek Police Department Policy 5.3: Computer and Electronic Equipment Usage and Data Security.**

**Motion:** made by Councilmember Gordon to accept Hickory Creek Police Department Policy 5.3 Computer and Electronic Equipment as presented. Motion seconded by Councilmember Kenney.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (4) - Consider and act on road improvements and related infrastructure pertaining to development of a tract land described as follows: A0958a Mccarroll, Tr 34, 10.0534 acres, Old Dcad Tr #8a, Hickory Creek, Denton County, Texas. This property is located at the Southeast corner of Turbeville Road and Point Vista.**

**Motion:** made by Councilmember Kenney to approve road improvements and related infrastructure pertaining to development of a tract of land described as A0958a Mccarroll, Tr 34, 10.0534; authorizing the town administrator to negotiate a developer's agreement to include the terms presented. Motion seconded by Councilmember Gordon.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (5) – Consider and act on the 2016-2017 Hickory Creek Economic Development Corporation Budget.**

**Motion:** made by Councilmember Gordon to approve the 2016-2017 Hickory Creek Economic Development Corporation Budget. Motion seconded by Councilmember DuPree.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (6) – Consider and act on an ordinance adopting the budget for the Town of Hickory Creek, Texas for the fiscal period October 1, 2016 to September 30, 2017.**

**Motion:** made by Councilmember Kenney to approve the budget for the fiscal period October 1, 2016 to September 30, 2017 as presented. Motion seconded by Councilmember Theodore.  
Councilmember DuPree voted Aye.  
Councilmember Gordon voted Aye.  
Councilmember Kenney voted Aye.  
Councilmember Theodore voted Aye.  
**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**Item E - Executive Session: The Town Council will convene into executive session 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.**

No executive session.

**Item F - Reconvene into Open Session.**

No executive session.

**Item G – Adjournment**

**Motion:** made by Councilmember Kenney to adjourn the meeting. Motion seconded by Councilmember DuPree.  
**Ayes:** Councilmember DuPree, Councilmember Gordon, Councilmember Kenney and Councilmember Theodore.  
**Nays:** None

**MOTION PASSED UNANIMOUSLY**

The meeting did then stand adjourned at 7:17 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