

**REGULAR MEETING OF THE TOWN COUNCIL
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
TUESDAY, JANUARY 15, 2019**

MINUTES

Call to Order

Mayor Clark called the meeting to order at 6:30 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

Councilmember Ian Theodore

Also in attendance:

John M. Smith, Jr., Town Administrator

Kristi K. Rogers, Town Secretary

Carey Dunn, Chief of Police

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

Councilmember Theodore led the invocation.

Items of Community Interest

Members of Boy Scout Troop 424, working on their Citizenship in the Community Merit Badge, were recognized.

Sergeant Jon Causseaux was honored as January 2019 First Responder of the Month at the Lake Cities Chamber of Commerce luncheon.

Officer Arun Koshy was introduced as the newest member of the Hickory Creek Police Department.

The Great American Cleanup will take place on Saturday, March 23, 2019. Volunteers will meet in the Walmart parking lot and then proceed to the parks.

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Mayor Clark was recognized for her outstanding presentation and representation of Hickory Creek at the Lake Cities Chamber luncheon on January 15, 2019.

A ribbon cutting will be held January 18, 2019 from 3:00 p.m. to 5:00 p.m. at the Lee Walker Government Center.

Public Comment

Ron Furtick, 1500 Turbeville Road, thanked the town for pointing out health and safety issues regarding Hickory Creek Estates. He has installed three new fire hydrants on the property. He provided a map with the location of the hydrants and overlapping areas to show the property is completely covered by fire protection. He did not attempt to obtain a permit for this improvement because he believes the town's permit system is completely dysfunctional. He has attempted to obtain building permits using the town's processes five times in the last two years and all permits were denied or still unresolved months after application. He has been told all permits requested by him will be denied automatically which he feels is continued and persistent pattern of harassment against him personally and his business interests. He stated the most glaring civic dysfunction is planning and zoning. He has endured decades of design charrette, stakeholder, and citizen input meetings. It was a brilliant move when the town brought in Mesa Design led by Robin McCaffrey and a group of architects who crafted a Mixed-Use Ordinance. Mr. Furtick is meeting with Scott Polikov who has identified two development firms who are interested in creating a Hickory Creek Downtown. He will not meet with any developers until the Mixed-Use Ordinance is approved because he is tired of wasting his time. He would like to close Hickory Creek Estates someday and the first step is to attract a developer. Once the town council does their job by passing the Mixed-Use zoning that was negotiated, he will find a developer. He implores the council to stop the dysfunction when it comes to the economic future of the town.

Consent Agenda

1. November 2018 Council Meeting Minutes
2. November 2018 Financial Statements
3. December 2018 Financial Statements
4. Consider and act on a Certificate of Completion for the Main Street Reconstruction and Hickory Creek CIP project.
5. Consider and act on an ordinance of the Town Council of Hickory Creek, Texas ordering an election to be held on May 4, 2019 for the purpose of electing Town Council Members to Place 1, Place 3 and Place 5.
6. Consider and act on a resolution of the Town of Hickory Creek, Texas in opposition to a revenue cap and legislative interference with local services.

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7. Consider and act on a Voluntary Interlocal Cooperation Agreement, Amendment Number 3 for the Operation and Maintenance of Traffic Signals.

Motion made by Councilmember DuPree to approve consent agenda items as presented, Seconded by Councilmember Gordon.

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

Regular Agenda

8. Consider and act on a site and landscape plan for Angelina's Mexican Restaurant located at 101 Baize Boulevard. The property is legally described as Adams Cliff, Block A, Lot 4.

Jessie Rodriquez, JRAF Studios, presented an overview of the project to the town council and answered questions.

Motion made by Councilmember Gordon to approve a site and landscape plan for Angelina's Mexican Restaurant as presented, Seconded by Councilmember DuPree. Voting Yea: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney, Councilmember Theodore. Motion passed unanimously.

9. Presentation of the 2017-2018 Fiscal Year Audit from Carl Deaton of Hankins, Eastup, Deaton, Tonn & Seay.

Carl Deaton of Hankins, Eastup, Deaton, Tonn & Seay presented the audited financial statements for the fiscal year ending September 30, 2018. The assets and deferred outflows of resources of the Town of Hickory Creek exceeded its liabilities at September 30, 2018 by \$12,050,758. Of this amount \$2,564,624 may be used to meet the government's ongoing obligations to citizens and creditors. The town's total net position increased by \$265,717. As of September 30, 2018, the Town of Hickory Creek's governmental funds reported combined ending fund balance of \$5,061,681, a decrease of \$467,707 in comparison with the beginning of the period. Approximately 57 percent of this total amount, \$2,884,490 is available for spending at the government's discretion. At the end of the current period, unassigned fund balance for the general fund was \$2,884,490 or 75.90 percent of total general fund expenditures. The audit is required to include the activity of the Economic Development Corporation, Public Improvement District No 1 and Public Improvement District No. 2. The EDC total fund balance was \$1,084,801. The Public Improvement District No. 1 total fund balance was \$289,537. The Public Improvement District No. 2 total fund balance was \$427,494.

10. Presentation regarding the Lake Cities Fire Department from Chief Michael Ross.

Chief Michael Ross provided an overview to council regarding the Lake Cities Fire Department including staffing, guiding principles, workload measures, current response plan, current response times, and resource distribution once Station 3 opens in February 2019. Statistics regarding 2018 run data was provided. Chief Ross presented Mayor Clark a plaque regarding the ISO 2 designation the fire department achieved in November 2018.

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11. Discussion regarding a request from Watertoysz, LLC. to operate a boat rental business.

Discussions were held and Mr. Gabriel Angeli, Watertoysz, LLC, answered questions from the town council. The request will be considered in the coming months based on the Parks, Recreation and Open Space Master Plan.

12. Consider and act on appointments to the steering committee for the Parks, Recreation and Open Space Master Plan.

Mayor Clark called for a recess at 8:11 p.m.

Mayor Clark called the meeting back to order after the recess at 8:18 p.m.

The following list is the slate of names mentioned to serve on the steering committee:

Linda Cawley, Bruce Enriquez, Marvin Estes, Omar Flores, Linda Fulfer, Calin Giuroiu, Chris Gordon, John Grosskopf, Nancy Koket, Mandy Larkin, Jack Miller, Kerby Pierre, Tim Ribaul, Lisa Rowell, James Schultz, John Smith, Sharon Stratman, Nicholas Wilson and Nicole Wright

Motion made by Councilmember Theodore to approve the slate of names to serve on the steering committee, Seconded by Councilmember Elrod.

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

13. Consider and act on an agreement authorizing sponsorship of police recruits and setting pay rate.

Motion made by Councilmember Gordon to approve the form of an agreement authorizing sponsorship of police recruits and setting the maximum pay rate at 75% of the starting salary for a police officer, Seconded by Councilmember Elrod.

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

14. Consider and act on Hickory Creek Police Department Policy 327: Reserve Officers

Motion made by Councilmember Gordon to approve Hickory Creek Police Department Policy 327: Reserve Officers as presented, Seconded by Mayor Pro Tem Kenney.

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

15. Consider and act on allocating funds for gateway monument signage.

Motion made by Mayor Pro Tem Kenney to approve allocating funds in an amount not to exceed \$40,000 for gateway monument signage, Seconded by Councilmember Gordon.

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

16. Consider and act on allocating funds to tint all glass in the town hall facility.

Motion made by Councilmember Theodore to approve funding to tint glass in the town hall facility with A Dallas Professional Window Tint in an amount of \$9,750.00, Seconded by Councilmember DuPree.

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

17. Discussion regarding the 2018 Hickory Creek Business of the Year.

The following were nominated for 2018 Hickory Creek Business of the Year:
AMC Movie Theater, IHop, INails, Murphy U.S.A. and Southwest RV Rentals.

18. Discussion regarding the 2018 Hickory Creek Citizen of the Year.

The following were nominated for 2018 Hickory Creek Citizen of the Year:
Grady Brown, Jim Murray and Mark Tucker.

19. Discussion regarding current road and sidewalk projects.

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

Executive Session

The Town Council convened into executive session at 9:25 p.m. 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.

20. Discussion regarding 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.)
21. Discussion regarding land use restrictions and development related issues for property legally described as A1220A H.H. Swisher, Tracts 50 and 50A (1) (PT).
22. Discussion regarding land development related issues for the property legally described as A1220A H.H. Swisher, Tracts 35 (PT) and 50A.

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Reconvene into Open Session

The Town council reconvened into open session at 10:54 p.m.

23. Discussion and possible action regarding matters discussed in executive session.

No action taken.

Adjournment

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

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

The meeting did then stand adjourned at 10:55 p.m.

Approved:

Attest:

Lynn C. Clark, Mayor
Town of Hickory Creek

Kristi K. Rogers, Town Secretary
Town of Hickory Creek