

**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 August 15, 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  
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  
Lance Vanzant, Town Attorney

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

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

Mayor Clark gave the invocation after requesting a moment of silence be observed for the tragedy that took place in Charlottesville, Virginia.

**Items of Community Interest**

See You at the Pole will be held at town hall on September 28, 2017 at 7:00 a.m. The community is invited to attend.

The Parks and Recreation Board will host a Halloween event in Sycamore Bend Park on October 21, 2017. The event is family friendly and activities for all ages are planned.

**Public Comment**

There were no speakers for public comment.

**Item B - Public Hearing**

**B (1) - Public Hearing: To hear public opinion regarding the voluntary annexation of a 38.9197 acre tract of land situated in the H.H. Swisher Survey, Abstract 1120, and the M.E.P. & P.R.R. Company Survey, Abstract 915, Denton County Texas; Steeplechase North Addition.**

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. July 2017 Council Meeting Minutes
2. July 2017 Financial Statements
3. Consider and act on the 2017-2018 Hickory Creek Economic Development Corporation Budget.

**Motion:** made by Councilmember DuPree to approve consent agenda Items C1 - C3 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 approving the 2017-2018 annual update to the service and assessment plan and assessment roll for public improvements for the Hickory Creek Public Improvement District No. 1 in accordance with Chapter 372, Texas Local Government Code, as amended; making various findings and provisions related to the subject; and providing for an effective date.**

Jon Snyder, PIDWorks, provide an overview of the annual update to the service and assessment plan and assessment roll for the public improvements for Hickory Creek Public Improvement District No.1.

**Motion:** made by Councilmember Gordon to approve a resolution approving the 2017-2018 annual update to the service and assessment plan and assessment roll for public improvements for the Hickory Creek Public Improvement District No. 1 as presented. Motion seconded by Councilmember Elrod.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (2) - Consider and act on an ordinance authorizing the issuance of the "Town of Hickory Creek, Texas, Special Assessment Revenue Bonds, Series 2017 (Hickory Creek Public Improvement District No. 1)"; approving and authorizing an indenture of trust, a bond purchase agreement, a continuing disclosure agreement and other agreements and documents in connection therewith; making findings with respect to the issuance of such bonds; and providing an effective date.**

Tripp Davenport, FMSbonds, Inc., provided a summary regarding the pricing for "Town of Hickory Creek, Texas, Special Assessment Revenue Bonds, Series 2017 (Hickory Creek Public Improvement District No. 1)" bond issuance. The average yield is 3.847 and represents the lowest yielding PID Bond ever priced in the State of Texas.

**Motion:** made by Councilmember Gordon to approve an ordinance authorizing the issuance of the "Town of Hickory Creek, Texas, Special Assessment Revenue Bonds, Series 2017 (Hickory Creek Public Improvement District No. 1) as presented. Motion seconded by Councilmember Theodore.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (3) - Consider and act on the Fiscal Year 2017 proposed tax rate and set date for public hearings if the proposed tax rate exceeds the lower of the effective rate or rollback rate.**

**Motion:** made by Councilmember Kenney to approve the Fiscal Year 2017 proposed tax rate of 0.366933. Motion seconded by Councilmember Theodore.

Councilmember Elrod voted Aye.

Councilmember DuPree voted Aye.

Councilmember Gordon voted Aye.

Councilmember Kenney voted Aye.

Councilmember Theodore voted Aye.

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (4) - Consider and act on approving the 2017-2018 Fiscal Year preliminary budget for public inspection and comment and set September 19, 2017 as the date for the public hearing.**

**Motion:** made by Councilmember Theodore to approve the 2017-2018 Fiscal Year preliminary budget for public inspection and comment and set September 19, 2017 as the date for the public hearing.

Motion seconded by Councilmember DuPree.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (5) - Discussion regarding allowing alcohol at special events sponsored by the Town of Hickory Creek or private events held in conjunction with the rental of Arrowhead Park Pavilion or Sycamore Bend Park Pavilion.**

The town council held a lengthy discussion regarding Item D (5). The town council reviewed and discussed City of Highland Village policies and procedures for allowing alcohol at special events. The town council will have further deliberations at the September 19, 2017 council meeting.

**D (6) - Consider and act on ordinance of the Town of Hickory Creek, Texas amending the Town of Hickory Creek Code of Ordinances by adopting a right-of-way management ordinance; establishing regulations for construction, placement, and excavation in rights-of-way and public easements; amending the master fee schedule to adopt fees for the administration of the right-of-way management ordinance.**

**Motion:** made by Councilmember Theodore to approve an ordinance of the Town of Hickory Creek, Texas amending the Town of Hickory Creek Code of Ordinances by adopting a right-of-way management ordinance as presented. 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 ordinance of the Town of Hickory Creek, Texas amending the Town of Hickory Creek Code of Ordinances, Chapter1: General Provisions, Article 1.09, Records Management, by adding Section 1.09.019, "Time limits for responding to certain requests" establishing monthly and annual time limits on time spent by town personnel on responding to requests for public information.**

**Motion:** made by Councilmember Kenney to approve Item D (7) as presented. Motion seconded by Councilmember DuPree.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (8) - Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement for information technology services by and between the Town of Hickory Creek and MiTech Services, L.L.C.**

**Motion:** made by Councilmember Kenney to approve Item D (8) as presented not to exceed \$28,500. Motion seconded by Councilmember Gordon.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (9) - Consider and act on the acceptance of renewal rates from BlueCross BlueShield for town employee medical coverage for Fiscal Year 2017-2018.**

**D (10) - Consider and act on acceptance of rates from Dearborn National for town employee life, short term disability and long term disability coverage for Fiscal Year 2017-2018.**

**D (11) - Consider and act on accepting the rates from Principal Financial Group for town employee dental coverage for Fiscal Year 2017-2018.**

**D (12) - Consider and act on acceptance of rates from EyeMed for town employee vision coverage for Fiscal Year 2017-2018.**

**Motion:** made by Councilmember Theodore to approve Item D (9), D (10), D (11) and D (12) as presented. Motion seconded by Councilmember Elrod.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**D (13) - 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 convened into executive session at 8:33 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**

1. Discussion regarding certain real 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.)

**Item F - Reconvene into Open Session: The Town Council reconvened into open session at 9:12 p.m.**

**Motion:** made by Councilmember Gordon to direct the town attorney and staff to commence enforcement regarding any code violations or other violations by the landowner. Motion seconded by Councilmember Elrod.

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

**Item G – Adjournment**

**Motion:** made by Councilmember Elrod to adjourn the meeting. Motion seconded by Councilmember Gordon.,

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

**Nays:** None

**MOTION PASSED UNANIMOUSLY**

The meeting did then stand adjourned at 9:15 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