

**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 June 20, 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.

Councilmember Kenney gave the invocation.

Presentation of Awards

Mayor Clark presented John Woodrum a plaque of appreciation for his years of service on the Board of Adjustments.

Items of Community Interest

A ribbon cutting ceremony will be held on June 23, 2017 at 10:30 a.m. to celebrate the completion of the Main Street Rehabilitation Project.

The Lake Cities 4th of July parade will be held on Monday, July 4th, beginning at 9:00 a.m.

Public Comment

There were no speakers for public comment.

Item B - Public Hearing

B (1) - Public Hearing: To hear public opinion regarding an ordinance of the Town of Hickory Creek, Texas, continuing the juvenile curfew for minors under 17 years of age adopted by Ordinance No. 2008-02-309 prohibiting appearance in public between the hours of 11:00 p.m.

on any Sunday, Monday, Tuesday, Wednesday or Thursday until 6:00 a.m. of the following day; and 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday within the town limits of Hickory Creek.

Mayor Clark called the public hearing to order at 6:37 p.m. With no one wishing to speak, the public hearing was closed at 6:37 p.m.

Item C – Consent Agenda Items

1. May 2017 Council Meeting Minutes
2. May 2017 Financial Statements
3. Consider and act on the 2017 Interlocal Cooperation Agreement for Ad Valorem Tax Collection between the Town of Hickory Creek and Denton County.
4. Consider and act on the 2017 Interlocal Cooperation Agreement for Assessment Collection between the Town of Hickory Creek and Denton County for Hickory Creek Public Improvement District No. 1 (Public Improvements).
5. Consider and act on the 2017 Interlocal Cooperation Agreement for Assessment Collection between the Town of Hickory Creek and Denton County for Hickory Creek Public Improvement District No. 1 (Roadway Maintenance).
6. Consider and act on the 2017 Interlocal Cooperation Agreement for Assessment Collection between the Town of Hickory Creek and Denton County for Hickory Creek Public Improvement District No. 1 (Safety Services).
7. Consider and act on the 2017 Interlocal Cooperation Agreement for Assessment Collection between the Town of Hickory Creek and Denton County for Hickory Creek Public Improvement District No. 2 (Public Improvements).
8. Consider and act on a resolution approving a change in the rates of Atmos Energy Corporation, Mid-Tex Division ("Atmos") as a result of a settlement between Atmos and the Atmos Texas Municipalities ("ATM") under the rate review mechanism.

Motion: made by Councilmember DuPree to approve consent agenda Items C1 and C8 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) - Presentation from Simple Recycling regarding a Curbside Clothing and Home Goods Recycling Program.

Keith Kahn, representing Simple Recycling, presented an overview to council regarding the Curbside Clothing and Home Goods Recycling Program. Simple Recycling will provide residential curbside pickup service and specially designed recycling collection bags at no cost to the town or residents. Residents will place the Simple Recycling bags next to the curb on their existing recycling day for pickup. Cities currently participating in the program are Plano, Bedford, Haltom City, Kennedale, Little Elm, Sugar Land, Austin and The Woodlands.

D (2) - Consider and act on proposals submitted for Landscape Design and Installation RFP# 2017-01.

Motion: made by Councilmember Kenney to award the Landscape Design and Installation RFP# 2017-01 to Blooming Colors Nursery & Landscaping, in amount not to exceed \$131,300. 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 a site and landscape plan for Whataburger Restaurant located at 4250 FM 2181.

Motion: made by Councilmember Gordon to approve the site and landscape plan for Whataburger Restaurant 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 (4) - Consider and act an Off-Site Facilities Agreement between and among the Lake Cities Municipal Utility Authority, Town of Hickory Creek, Westwood Residential Land Company and Teddy Brown, Ronald E. Brown, Ren E. Brown, Sherry Headrick, Keith Russell Brown and Ginger Leigh Murchinson.

Motion: made by Councilmember Gordon to approve an Offsite Facilities Agreement with the inclusion of a sixty-day expiration if signatures by all parties are not obtained. Motion seconded by Councilmember Kenney.

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

Nays: None

MOTION PASSED UNANIMOUSLY

D (5) - Consider and act on a resolution of the Town of Hickory Creek, Texas authorizing the issuance of a water well drilling permit for 1700 Turbeville Road, Hickory Creek, Texas.

Motion: made by Councilmember Gordon to approve a resolution of the Town of Hickory Creek, Texas authorizing the issuance of a water well drilling permit for 1700 Turbeville Road, Hickory Creek, Texas. Motion seconded by Councilmember Theodore.

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

Nays: None

MOTION PASSED UNANIMOUSLY

D (6) - Consider and act on an ordinance of the Town of Hickory Creek, Texas continuing the juvenile curfew for minors under 17 years of age adopted by Ordinance No. 2008-02-309 prohibiting appearance in public between the hours of 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday until 6:00 a.m. of the following day; and 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday within the Town of Hickory Creek.

Motion: made by Councilmember Gordon to approve continuing the juvenile curfew ordinance to include Friday. Motion seconded by Councilmember Elrod.

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

Nays: None

MOTION PASSED UNANIMOUSLY

D (7) Consider and act regarding an ordinance of the Town of Hickory Creek, Texas amending the Code of Ordinances, Chapter 1: General Provisions; Article 1.10 Parks and Recreation.

Motion: made by Councilmember Theodore to approve an ordinance of the Town of Hickory Creek, Texas amending the Code of Ordinances, Chapter 1: General Provisions; Article 1.10 Parks and Recreation. Motion seconded by Councilmember DuPree.

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

Nays: None

MOTION PASSED UNANIMOUSLY

D (8) - Consider and act on an ordinance of the Town of Hickory Creek, Texas amending the Town's Code of Ordinances, Appendices: Appendix A: Fee Schedule; Article A2.00: Business Related Fees by adding a new Section A2.500.

Motion: made by Councilmember Theodore to approve an ordinance of the Town of Hickory Creek, Texas amending the Town's Code of Ordinances, Appendices: Appendix A: Fee Schedule; Article A2.00: Business Related Fees by adding a new Section A2.500 with the following amendments to paragraph (a) (1) For approved commercial uses, the annual boat launch fee will be \$200 per pass per trailer. Motion seconded by Councilmember Elrod.

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

Nays: None

MOTION PASSED UNANIMOUSLY

D (9) - Consider and act on an agreement between the Town of Hickory Creek and Flying and Floating Toys for use of Point Vista Park property.

Motion: made by Councilmember Kenney to deny an agreement between the Town of Hickory Creek and Flying and Floating Toys for use of Point Vista Park property. Motion seconded by Councilmember Gordon.

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

Nays: None

MOTION PASSED UNANIMOUSLY

D (10) - 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 8:38 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. Contract negotiations with the Town of Shady Shores for police services.

Item F - Reconvene into Open Session: The Town Council reconvened into open session at 9:55 p.m.

Motion: made by Councilmember Gordon to authorize the town administrator to conduct contract negotiations as instructed in executive session regarding police services for Shady Shores. 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 Kenney to adjourn the meeting. Motion seconded by Councilmember DuPree.

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

Nays: None

MOTION PASSED UNANIMOUSLY

The meeting did then stand adjourned at 9:57 p.m.

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Approved:

Attest:

Lynn C. Clark, Mayor
Town of Hickory Creek

Kristi K. Rogers, Town Secretary
Town of Hickory Creek