

STATE OF TEXAS

COUNTY OF DENTON

CITY OF HACKBERRY

Be it remembered that on this 9th day of October, 2018, a City Council Regular Meeting was held, and the following members were present to wit:

Ron Austin	Mayor	Jeff Dalton	Council Member
Beverly Hickerson	Mayor Pro Tem	Brenda Lewallen	City Sec./Admin.
Bryant Green	Council Member	Patricia Adams	Attorney
Gerri Schultz	Council Member	Kim Vance	Assistant Admin.

Council Member Debra Waring was not present due to sickness

Pledge of Allegiance to the United States of America Flag.

Mayor Austin led the Pledge of Allegiance.

Invocation. *(Time will be allowed for anyone wishing not to participate in the invocation to step outside and will be notified when the invocation is completed. Anyone wishing to give the invocation at future meetings is welcome to contact City Hall to make arrangements.)*

Council Member Bryant Green gave the invocation.

REGULAR MEETING AGENDA

1. Call to Order Regular Session.

Mayor Austin called the meeting to order at 7:17 p.m.

2. Public Comments:

A person may address the Council on items not on the printed agenda. Comments are limited to three (3) minutes. The Council may not comment or deliberate regarding such statements or comment during this period. Any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting.

There were no public comments.

3. Consent Agenda: All matters listed under the Consent Agenda are considered to be routine by the Hackberry Council and require little or no deliberation. There will not be a separate discussion of these items and the agenda will be enacted by one vote. If the Council expresses a desire to discuss a matter listed, that item will be removed from the consent agenda and considered separately.

Consider and act upon approving the Consent Agenda:

- a. Minutes from the September 11, 2018, Regular Meeting.
- b. September 2018, Financials for General Fund and W/S Accounts.

Council Member B. Hickerson made a motion to approve the Consent Agenda. Council Member G. Schultz seconded the motion. There being no further discussion, corrections, or additions, a roll call vote was held and the motion passed with four voting yes.

4. **Consider and take appropriate action on approving the First Amendment to City of Hackberry and City of Frisco Treated Water Supply Contract; and authorize the Mayor or designee to execute necessary documents.**

Ms. Brenda Lewallen, City Administrator, stated that the City of Frisco has answered all questions concerning section 8, (a) and (c).

Council Member Hickerson made a motion to approve the First Amendment to City of Hackberry and City of Frisco Treated Water Supply Contract; and authorize the Mayor or designee to execute necessary documents. Council Member J. Dalton seconded the motion. There being no further discussion, a roll call vote was held and the motion passed unanimously with four voting yes.

5. **Consider and take appropriate action on approving a Preliminary Plat and Utility and Drainage Plans for Bridge Creek Shores Addition (13 Lots, 3 Tracts, 9.22 Acres) located within the City of Hackberry ETJ, Sycamore Drive west of Rivendale Pointe.**

Planning and Zoning did not make any recommendations.

Council Member Dalton made a motion to table item #5. Council Member Schultz seconded the motion. There being no further discussion, a roll call vote was held and the motion passed unanimously with four voting yes.

6. **EXECUTIVE SESSION. In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council will convene into Executive Session (closed meeting) to discuss the following pursuant to:**

§551.071(1) (2): Consultation with Attorney on a matter 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 and Consultation with Attorney regarding pending or contemplated litigation re: City of Hackberry v. Specialty Development, Incorporated, Cause No. CV-2018-02139, County Court at Law No. 2, Denton County, Texas; Alternative Dispute Resolution.

The Council convened into Executive Session at 7:23 p.m. with the city attorney present.

RECONVENE INTO OPEN SESSION - In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to discuss and take action, if any, on matters discussed in Executive Session.

The Council reconvened into Open Session at 7:40 p.m.

No action taken.

7. **Adjournment.**

There being no further business before the Council, Mayor Austin adjourned the meeting at 7:41 p.m.

Passed and approved by the City Council of the City of Hackberry, Texas this 23th day of October, 2018.



Brenda Lewallen
Brenda Lewallen, City Secretary

Ronald Austin
Ronald Austin, Mayor