

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 15TH DAY OF NOVEMBER 2021, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.

[Click here](#) for meeting video link (subject to change)

The Town Council met in a regular meeting with the following members present:

Derek France	Mayor
Ben Bumgarner	Mayor Pro Tem
Sandeep Sharma	Deputy Mayor Pro Tem
Adam Schiestel	Councilmember Place 1
Jim Engel	Councilmember Place 4
Ann Martin	Councilmember Place 5

constituting a quorum with the following members of the Town Staff participating:

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
Tommy Dalton	Interim Town Manager
Tiffany Bruce	Assistant Town Manager/Town Engineer
Lexin Murphy	Director of Planning Services
Matt Hotelling	Traffic Engineer
Ray Watson	Director of Economic Development
Andy Kancel	Chief of Police

A. CALL REGULAR MEETING TO ORDER

Mayor France called the regular meeting to order at 6:00 p.m.

B./C. INVOCATION/PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG

Chaplain Richard Plunk gave the invocation and Mayor France led the pledges.

D. PUBLIC COMMENT

Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.

	Speaker name and address	Subject
1.	Mary Kay Walker, 3229 Oak Meadow	SIM Auxiliary
2.	James H. Sherman, 2100 Beachview Dr with donated time from: Patricia Sherman, 2100 Beachview James Musil, 2205 Paradise Ln Gary Rowen, 5104 Knights Ct Colin Crow, 5380 Harbor View Dr	#15
3.	Elaine Barry, 5357 Harbor View Dr	#15

4.	Mitch Waters, 3030 Wager Rd with donated time from: Cindy Waters, 3030 Wager Rd Beth Soderberg, 3100 Wager	Emerald Place
5.	Lewis Lee Bird III, 1801 Deer Path with donated time from: Linda Bird, 1801 Deer Path	Estuary Pointe
6.	Lianne Martin, 6822 Red Bud Dr	Red Bud Point Easements
7.	Drew Martin, 6822 Red Bud Dr	Easements at Red Bud Point
8.	George Griffin, 6819 Crooked Ln	Red Bud Point ROW
9.	Pete Edwards, 6901 Red Bud Dr	Red Bud Point
10.	Andrea Brown, 6829 Red Bud Dr	Red Bud Point Easement
11.	Jason Shinholser, 6829 Red Bud Dr	Red Bud Neighborhood Easement
12.	Robin Bird, 6508 Highview Rd	Easement at Red Bud Point
13.	Dawn Blakenship, 6704 Crooked Ln	Red Bud Point Easements
14.	Betsy Perkins, 6500 Red Bud Dr	Red Bud Point Lake Access
15.	Elaine Takacs, 2101 Beachview	#15 Estuary Pointe
16.	Patrick Ruland, 6700 Crooked Ln	Red Bud Point Public Easement
17.	Ken Kaa, 6905 Meadow Dr	Red Bud Point
18.	Maria Lozovskaya, 6704 Green Briar Lane	Lake Access at Red Point Bud
19.	Alton Bowman, 6524 Orchard Dr	Red Bud Point
20.	Austin Sincerbeaux, 5308 Prince Lane	#15
21.	Joni Koch, 1980 Harbor View with donated time from: Deborah Musil, 2205 Paradise Ln	Estuary Pointe
22.	Tess Turner, 2916 Parkhaven Dr with donated time from: MaryTurner, 5301 Meadowlark (also spoke as part of Ms. Turner's time) Yolanda Junkin, 2937 Queen Mary	#15

E. PRESENTATIONS

1. Small Business Saturday (November 27, 2021) Proclamation

Mayor France recited the Proclamation and presented it to Ray Watson, Director of Economic Development.

2. Denton County Transportation Authority (DCTA) Presentation on GoZone on-demand rideshare services

Raymond Suarez, Chief Executive Officer, DCTA
Mary Worthington, DCTA Community Relations Manager

Mr. Suarez and Ms. Worthington gave a presentation identifying or noting:

- Company background information
- How GoZone works, including hours, cost, app functionality
- GoZone benefits
- Popular destinations
- How to book a ride on the app

- Other features

and Mr. Suarez responded to questions or comments from Council regarding:

- What would the Town's financial contribution be to deliver this type of service on a community wide basis
- Are the vehicles owned by DCTA
- How their service compares to what the town has already with SPAN

3. Animal Services Board (ASB) update.

ASB Chair Susan Bodenmiller gave a presentation identifying or noting:

- Member names
- Powers and duties of the board
- Status update (items cover in meeting)

and she responded to questions from Council regarding:

- How often do they meet

F. ANNOUNCEMENTS

Deputy Mayor Pro Tem Sharma announced that this week is the deadline to submit a float entry in the Town's Christmas parade.

Mayor Pro Tem Bumgarner announced that today is his wedding anniversary and wished his wife a happy anniversary.

Councilmember Engel announced that the Christmas Parade and tree lighting will be on December 4 at 6:00 p.m.

Councilmember Schiestel expressed appreciation for everyone that attended or participated in the recent Veterans Day events.

Councilmember Martin announced that the art exhibit is still on display at the library. She also congratulated the library on the successful art party.

Mayor France indicated his beard is part of the "No Shave November" campaign and that he is supporting the Pediatric Brain Cancer Foundation.

G. TOWN MANAGER'S REPORT

Mr. Dalton provided an update on the following items:

1. Capital improvement projects
 - Intersection improvements at Long Prairie Rd and Flower Mound Rd
 - Gibson Grant log cabin and ribbon cutting on December 11
2. Economic Development projects
 - Now open or coming soon businesses

3. Communication Awards

- Flower Mound took home a total of 13 awards at the Texas Association of Telecommunications Officers and Advisors conference in Houston

4. Online Ordinances and Special Use Permits

- Collaborative effort of multiple departments to make the independent PD and SUP ordinances available online via MuniCode on the Town's website

and he responded to questions from Council regarding:

- When is the prescribed burn at The Mound scheduled for

H. FUTURE AGENDA ITEMS

1. Councilmember Engel indicated he would like to discuss a continuation of training for boards and commissions, including staff and legal support roles.

There was Council consensus to proceed with having a future agenda item on the topic.

I. COORDINATION OF CALENDARS

Mayor France announced the following meeting dates and confirmed that all members of Council will be present.

1. A work session is scheduled for Thursday, November 18.
2. A regular meeting is scheduled for Monday, December 6.

J. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on November 1, 2021.
2. Consider adoption of the Town Council Strategic Plan for Fiscal Year 2021-2022.
3. Consider approval for the purchase and roll out service of desktop and laptop computers, ruggedized laptop computers and peripherals from Dell, in the amount of \$160,275.19.
4. Consider approval of a Third Amendment to a Tower-Ground Lease Agreement with AT&T located at 3810 Bruton Orand Road.
5. Consider approval of a resolution accepting grant funds from the Department of Justice's Office of Justice Programs for the purchase of bulletproof vests for the Police Department as part of the FY 2021 Bulletproof Vest Partnership.

RESOLUTION No. 28-21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE DEPARTMENT OF JUSTICE'S OFFICE OF JUSTICE PROGRAMS FOR THE FISCAL YEAR 2021 BULLETPROOF VEST PARTNERSHIP PROGRAM; APPROVING THE PURCHASE OF BULLETPROOF VESTS FOR THE TOWN USING AWARDED GRANT FUNDS; PLEDGING THAT THE TOWN OF FLOWER MOUND WILL COMPLY WITH

ALL PROGRAM REQUIREMENTS OF THE BULLETPROOF VEST PARTNERSHIP PROGRAM.

6. Consider approval of the purchase of fifty sets of bunker gear and gear cleaner from NAFECO, Inc. through BuyBoard Purchasing Contract No. 603-20 in the total amount of \$162,733.36 and authorization for the Mayor to approve same on behalf of the Town.
7. Consider approval of the purchase from Axon Enterprise, Inc., for the acquisition of Axon body worn cameras, related hardware, and licensing; and authorization for the Mayor to execute same on behalf of the Town.
8. Consider approval of the purchase of Screening Wall Repair Services from Aber Fence and Supply Company, in the amount of \$146,536.00.
9. Consider approval of the purchase of outdoor fitness equipment from MoveStrong Functional Training Equipment, LLC, for the Heritage Park Improvements project, in the amount of \$74,576.93; and authorization for the Mayor to execute same on behalf of the Town.
10. Consider approval of the installation of the MoveStrong Functional Training Equipment and synthetic turf surfacing for the Heritage Park Improvement project, from Child's Play, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$82,688.00.
11. Consider approval of the First Amendment to Professional Services Agreement for the FM1171 at FM2499 Westbound Right Turn Lane project, amending the agreement with Kimley-Horn and Associates, Inc., for an increase of \$47,400.00, and authorization for the Mayor to execute same on behalf of the Town.
12. Consider approval of the First Amendment to Professional Services Agreement for the Lift Station Improvements and Decommissioning Phase III project, amending the agreement with Plummer, Inc., for an increase of \$198,500.00, and authorization for the Mayor to execute same on behalf of the Town.

Deputy Mayor Pro Tem Sharma moved to approve by consent Items 1 – 12, as presented in the agenda caption. Councilmember Engel seconded the motion. Each item, as approved by consent, is restated above, and if applicable, the Ordinance or Resolution caption for each, for the record.

VOTE ON MOTION:*Motion passed***AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN****NAYS: NONE****K. REGULAR ITEMS**

Mayor France opened items 13 and 14 at the same time.

13. Public Hearing to consider an ordinance amending the Master Plan (MPA21-0006 – Spinks Road Tract) to amend Section 1.0, Land Use Plan, of the Master Plan, and Section 2.0 Area Plans, of the Master Plan, to change the current land use designation from Estate Residential and Lakeside Business District with Campus Commercial uses to Low Density Residential uses. The property is generally located east of Long Prairie Road and north of Spinks Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its September 27, 2021, meeting.) (The Town Council postponed this item by a vote of 5 to 0 at its October 4, 2021, meeting.)

Mayor Pro Tem Bumgarner moved to approve item 13 as presented. Councilmember Engel seconded the motion.

ORDINANCE NO. 45-21

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 1.0, "LAND USE PLAN," AND SECTION 2.0, "AREA PLANS," OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, SPECIFICALLY TO CHANGE THE CURRENT LAND USE REFLECTED ON THE LAND USE PLAN MAP FROM LAKESIDE BUSINESS DISTRICT WITH CAMPUS COMMERCIAL USES AND ESTATE RESIDENTIAL USES TO LOW-DENSITY RESIDENTIAL USES ON APPROXIMATELY 76.020 ACRES OF LAND BEING ALL OF LOT 2, BLOCK A, AND LOT 4, BLOCK A, OF THE MIDDLE SCHOOL NO. 14 ADDITION; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

AYES: MARTIN, ENGEL, BUMGARNER, SCHIESTEL

NAYS: SHARMA

14. Public Hearing to consider an ordinance for rezoning (ZPD21-0004 – Spinks Road Tract) from Agricultural District uses to Planned Development District No. 182 (PD-182) with Single Family District-15 uses and with certain exceptions and modifications to the Code of Ordinances, including but not limited to an exception to 'Underground Utilities' pursuant to Section 82-377, Exceptions, and an exception to 'Depth' pursuant to Section 90-272, Lot depth, lines, and frontage. The property is generally located east of Long Prairie Road and north of Spinks Road. (The Planning and Zoning Commission recommended approval of alternate Option C {not included in the packet} by a vote of 6 to 0 at its September 27, 2021, meeting.) (The Town Council postponed this item by a vote of 5 to 0 at its October 4, 2021, meeting.)

Mayor Pro Tem Bumgarner moved to approve item 14 as presented. Councilmember Engel seconded the motion.

ORDINANCE NO. 46-21

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, "LAND DEVELOPMENT REGULATIONS," OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 76.020 ACRES OF LAND BEING ALL OF LOT 2, BLOCK A, AND LOT 4, BLOCK A, OF THE MIDDLE SCHOOL NO. 14 ADDITION, FROM AN AGRICULTURAL DISTRICT (A) TO PLANNED DEVELOPMENT DISTRICT-182 (PD-182) WITH SINGLE-FAMILY DISTRICT-15 (SF-15) USES IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:**AYES: BUMGARNER, ENGEL, MARTIN****NAYS: SCHIESTEL, SHARMA***Motion passed***Staff Presentation**

Ms. Murphy gave a presentation for items 13 and 14 identifying or noting:

- General and detailed location
- Land use and zoning
- Conceptual site plan (change)
- Master Plan Exhibit
- Modifications
- Exception request
- Overhead power line
- Photos of the site
- Conceptual screening plan
- Conceptual landscape plan

and she responded to questions or comments from Council regarding:

- Who would be responsible for maintaining the area adjacent to Block G

Applicant Presentation

Mike Boswell, Toll Brothers

Mr. Boswell gave a presentation identifying or noting:

- Introductions
- What has changed
- Trip generation
- Office construction and vacancy rate (within a 5 mile radius)
- Concept plan
- Plan specifics
- Requested PD modifications
- Requested exception – overhead burial
- Perspective with overhead remaining
- Park land dedication
- Park development fee
- Summary of recommendations
- Proposed product

and he responded to questions from Council regarding:

- Why did it change from a 4 acre to a 2 acre park

Mayor France opened the Public Hearing for items 13 and 14 at 8:30 p.m.

The following individuals either spoke in support or opposition, or had questions / comments related to the item: *Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.*

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
None	None	Elaine Takacs, 2101 Beachview
		Warren Campbell, 6000 Wichita Trl

Mayor France closed the Public Hearing at 8:34 p.m.

Council Discussion

There was Council discussion regarding:

- Overhead power lines

15. Consider a request for a Development Plan (DP21-0001 – Estuary Pointe) to develop a residential subdivision. The property is generally located south of Meadow Lark and east of Deer Path. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its November 8, 2021, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Development plan
- Site photos
- Landscape plan
- Landscape details
- Tree survey

and she, Mr. Dalton, Mr. Hotelling, Mr. Meredith, or Ms. Bruce responded to questions or comments from Council regarding:

- Clarification on:
 - Environmental protection plan
 - Legal requirements associated with approval of the item
 - Drainage plan
- Interest in having the applicant accommodate the abundant wildlife, such as no masonry walls, or minimal fences
- What can be done to address the road safety as was presented during public comment

Council Discussion

- Possibility of postponing the item to allow the applicant to visit with the residents and come back on December 6.
- Appreciation for bringing forward a product with no request for exceptions and tree protection

Applicant Presentation

Justin Welbourne
Dustin Austin, Project Engineer
Beaton Path Development, Hurst, Texas

Mr. Welbourne or Mr. Austin responded to questions or comments from Council regarding:

- Why didn't the applicant take staff's recommendation regarding access on Deer Path
- Lot widths along Deer Path and interest in allowing some type of restriction, such as a circular drive so homeowners don't back out on Deer Path
- Would like to hear more about their interest in protecting the wildlife around the property
- Interest in addressing the safety concerns as mentioned by many residents

Councilmember Engel moved to approve as presented. Councilmember Schiestel seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL

NAYS: NONE

Mayor France opened items 16, 17, and 18 at the same time.

16. Public Hearing to consider an ordinance amending the zoning (Z21-0003- Dixon Park) from Agricultural District (A) uses to Single Family District-15 (SF-15) uses. The property is generally located south of Dixon Lane and east of Windridge Lane. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its November 8, 2021, meeting.)

Deputy Mayor Pro Tem Sharma moved to approve item 16 as presented. Mayor Pro Tem Bumgarner seconded the motion.

ORDINANCE NO. 47-21

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, "LAND DEVELOPMENT REGULATIONS," OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 26.967 ACRES OF LAND SITUATED IN THE EDWIN MARSH SURVEY, ABSTRACT NUMBER 834, FROM AGRICULTURAL DISTRICT (A) USES TO SINGLE FAMILY RESIDENTIAL DISTRICT-15 (SF-15) USES IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN

NAYS: NONE

17. Consider a request for a Development Plan (DP21-0004 – Dixon Park) to develop a residential subdivision. The property is generally located south of Dixon Lane and east of Windridge Lane. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its November 8, 2021, meeting.)

Mayor Pro Tem Bumgarner moved to approve item 17 as presented. Councilmember Engel seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL

NAYS: NONE

18. Public Hearing to consider an application for a tree removal permit (TRP21-0026) for fourteen (14) specimen trees on property proposed for development as Dixon Park. The property is generally located west of Morriss Road and south of Dixon Lane. (The Environmental Conservation Commission motion to approve the requested tree removal permit failed by a vote of 1 - 5, at its November 2, 2021, meeting.)

Councilmember Schiestel moved to approve item 18 as presented, with the exception of tree # 6516 (29" pecan at the entrance). Councilmember Engel seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN

NAYS: NONE

Staff Presentation (items 16, 17, and 18)

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Zoning exhibit
- Development plan
- Site photos

Applicant Presentation

Mike Boswell, Toll Brothers

Mr. Boswell gave a presentation identifying or noting:

- Why we are here
- Communication plan
- Concept plan
- Landscape plan
- Proposed fencing
- Park development fee proposal
- Trees
- Proposed product

and he responded to questions or comments from Council regarding:

- Mitigation for the loss of trees
- Clarification regarding drainage
- Who is responsible for the retaining wall

Mayor France opened the Public Hearing for items 16 and 18 at 9:57 p.m. No one spoke. Mayor France closed the Public Hearing at 9:57 p.m.

19. Public Hearing to consider an ordinance amending the zoning (Z21-0004 - Sethi Property – Waketon Road) from Agricultural District (A) uses to Single Family District-15 (SF-15) uses. The property is generally located North of Waketon Road and east of Timber Way. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its November 8, 2021, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Zoning exhibit
- Site photos

and she, Mr. Dalton, Ms. Bruce, or Mr. Meredith responded to questions or comments from Council regarding:

- If what is presented is similar to when the zoning was approved in 2002 for Estuary Point
- When to have the discussion about a Windridge connection
- Possibility of Windridge staying as a cul-de-sac in perpetuity
- Drainage concerns
- Legalities associated with zoning approval

Applicant Presentation

Doug Powell, McAdams

Mr. Powell gave a presentation identifying or noting:

- Site rendering – Northgate estates
- Site aerial
- Master plan
- Site conditions

Mayor France opened the Public Hearing at 10:14 p.m.

The following individuals either spoke in support or opposition, or had questions / comments related to the item: *Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.*

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
None	None	Doug Fulmer, 5313 Townsend Dr

Mayor France closed the Public Hearing at 10:16 p.m.

Council Discussion

There was Council discussion regarding:

- How what's presented is within the Master Plan and no exceptions being requested
- How the property is less than 4 acres
- Not opposed to SF15, but prefer to not approve the zoning without a development plan because the details are not made known
- Traffic concerns as it relates to the potential road connection on Windridge

Motion 1 of 2

Councilmember Engel moved to approve item 19 as presented. Deputy Mayor Pro Tem Sharma seconded the motion.

VOTE ON MOTION:

AYES: ENGEL, SHARMA

Motion Failed

NAYS: MARTIN, BUMGARNER, SCHIESTEL

Motion 2 of 2

Councilmember Schiestel moved to remand item 19 back to the Planning and Zoning Commission. Mayor Pro Tem Bumgarner seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: SCHIESTEL, BUMGARNER, MARTIN

NAYS: SHARMA, ENGEL

20. Public Hearing to consider an ordinance amending the zoning (Z21-0006 – Caldwell Court) from Agricultural District (A) to Single Family District-10 (SF-10). The property is generally located east of Morriss Road and north of Cortadera Street. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its November 8, 2021, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Site photos
- Zoning exhibit
- Tree survey

Applicant Presentation

Steve Homeyer, Homeyer Engineering

Mr. Homeyer gave a presentation identifying or noting:

- Concept plan

and he responded to questions from Council regarding:

- Sewer connection
- Drainage

Mayor France opened the Public Hearing at 10:40 p.m.

The following individuals either spoke in support or opposition, or had questions / comments related to the item: *Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.*

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
Don Shields, 3815 Cortadera Ct	None	Claude Moehlman, 1915 Wisteria Ct

Mayor France closed the Public Hearing at 10:42 p.m.

Council Discussion

There was Council discussion regarding:

- Straight zoning aspect
- Be consistent and remand it back to P & Z

Mayor Pro Tem Bumgarner moved to remand item 20 back to the Planning and Zoning Commission. Councilmember Martin seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: MARTIN, BUMGARNER, SCHIESTEL

NAYS: ENGEL, SHARMA

Mr. Dalton asked if it was Council's preference for staff to inform residential development applicants to bring forward development plans or planned developments and not straight zoning items. There was consensus by three members of Council to proceed in that manner.

Town Council recessed at 10:44 p.m. and reconvened at 10:52 p.m.

Mayor France opened items 21 and 22 at the same time.

- 21 Consider approval of an ordinance amending Chapter 66, Article V, Section 66-214 of the Code of Ordinances of the Town of Flower Mound, Texas, relating to the prima facie speed limit of streets within the Town of Flower Mound to 25 mph. (The Transportation Commission recommended approval by a vote of 5 to 1 at its October 13, 2020, meeting).

Councilmember Schiestel moved to approve item 21 as presented. Councilmember Martin seconded the motion.

ORDINANCE NO. 48-21

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 66-214, "ENUMERATION FOR SPECIFIC STREETS;" IDENTIFYING A MAXIMUM PRIMA FACIE SPEED LIMIT FOR RESIDENTIAL STREETS WITHIN THE TOWN; PROVIDING A PENALTY NOT TO EXCEED \$200 FOR VIOLATIONS HEREOF; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

AYES: SCHIESTEL, SHARMA, BUMGARNER, MARTIN

NAYS: ENGEL

Councilmember Schiestel moved to approve item 22 as presented. Councilmember Martin seconded the motion.

RESOLUTION NO. 29-21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING RESOLUTION 12-10 BY REPEALING THE POLICY ON IMPLEMENTING REDUCED SPEED LIMITS ON CERTAIN RESIDENTIAL STREETS AND ADOPTING A NEW POLICY IMPLEMENTING INCREASED SPEED LIMITS ON CERTAIN RESIDENTIAL STREETS IN CERTAIN NEIGHBORHOODS IN THE TOWN OF FLOWER MOUND.

VOTE ON MOTION:

Motion passed

AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL

NAYS: NONE

Staff Presentation

Mr. Hoteling gave a presentation for items 21 and 22 identifying or noting:

- House bill 87
- Flower Mound policy – 2006, 2010
- TRC work topics
- Alternatives
- Additional information
- Exceptions
- Resolution

and he, or Chief Kancel, responded to questions from Council regarding:

- Clarification regarding the cost for sign replacement
- Traffic enforcement in residential roadways

Council Discussion

There was Council discussion regarding:

- Summary of Transportation Commission meeting discussions
- What is the real interest of the citizens
- Effective speed limit
- Safety

23. Public Hearing to consider approval of a resolution adopting an Economic Development Incentive Policy for the Town of Flower Mound, and providing for an effective date.

Staff Presentation

Mr. Watson gave a presentation identifying or noting:

- Replacement language

and he, or Mr. Dalton, responded to questions from Council regarding:

- What is the best way of quantifying goals within that document

Mayor France opened the Public Hearing at 11:28 p.m. No one spoke. Mayor France closed the Public Hearing at 11:28 p.m.

Deputy Mayor Pro Tem Sharma moved to approve as presented, with a language change to reflect 15% above the average County wage (instead of competitive living wages as written - Section IV. Available Incentives). Councilmember Schiestel seconded the motion.

RESOLUTION NO. 30-21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ADOPTING AN ECONOMIC DEVELOPMENT INCENTIVE POLICY FOR THE TOWN OF FLOWER MOUND; MAKING FINDINGS RELATIVE THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN

NAYS: NONE

Motion passed

L. BOARDS/COMMISSIONS

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Animal Services Board, Cultural Arts Commission, Environmental Conservation Commission, Parks Board, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), Transportation Commission, and Veterans Liaison Board.

No action taken.

M./N. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 11:30 p.m. on November 15, 2021, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074, and 551.087 for consultation with attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, and reconvened into an open meeting at 11:53 p.m. on November 15, 2021, to take action on the items as follows:

a. Consultation with Attorney.

1. Request for Public Information Ruling
2. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Applications
3. Cause No. 18-9622-431; EagleRidge Operating, LLC v Town of Flower Mound, Texas et al

No action taken.

- b. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights-of-way, cultural arts center, and/or other municipal purposes and all matters incident and related thereto.

Deputy Mayor Pro Tem Sharma moved to authorize staff to purchase a variable width pedestrian easement, in association with the sidewalk links program, and to negotiate for the purchase of the variable width pedestrian easement up to the settlement amount discussed in closed session; and authorize staff to pay all costs associated with said easement in addition to the purchase price of the easement.

VOTE ON MOTION:

Motion passed

AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN

NAYS: NONE

- c. Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.

No action taken.

- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, senior housing, hospitality projects, and performance related to certain incentive agreements.

No action taken.

O. **ADJOURN REGULAR MEETING**

Mayor France adjourned the meeting at 11:54 p.m. on Monday, November 15, 2021, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



DEREK FRANCE, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY