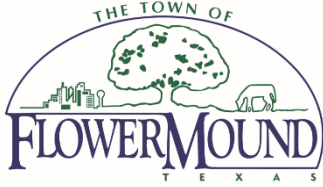


Town Council Regular Meeting



March 6, 2023
Town Hall
2121 Cross Timbers Road
Flower Mound, TX 75028

6:00 p.m.

MINUTES

A. CALL TO ORDER

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

Derek France, Mayor
Sandeep Sharma, Mayor Pro Tem
Ann Martin, Deputy Mayor Pro Tem
Adam Schiestel, Councilmember Place 1
Brian Taylor, Councilmember Place 3
Jim Engel, Councilmember Place 4

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

Theresa Scott, Town Secretary
James W. Childers, Town Manager
Bryn Meredith, Town Attorney
Tommy Dalton, Assistant Town Manager
Tiffany Bruce, Assistant Town Manager/Town Engineer
Lexin Murphy, Director of Planning Services
Sue Ridnour, Director of Library Services
Melody Eby, Economic Development Specialist
Blake Hummel, Senior Project Engineer
Chuck Jennings, Director of Parks and Recreation

B. INVOCATION

Chaplain McNamer gave the invocation.

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND TO THE TEXAS FLAG

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

Mayor France led the pledges.

D. PRESENTATION(S)

1. Library Excellence Award

Ms. Ridnour gave a presentation identifying or noting:

- Background information about the award

- TMLDA Award criteria

and Mayor France presented her with the award.

E. PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the Town Council regarding any item on this agenda that is not a "Public Hearing." Issues regarding daily operational or administrative matters should first be dealt with by calling Town Hall at 972.874.6000 during business hours.

In accordance with the Texas Open Meetings Act, the Town Council is restricted from discussing or acting on items not listed on the agenda.

To speak to Council during public comment, please fill out a [comment form \(PDF\)](#).

- Speakers are limited to 3 minutes, a tone will sound at 30 seconds left and when time has expired, and times may be adjusted by the mayor
- Speakers must address their comments to the Town Council
- Please state your name and address when speaking

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 (as written on the form)
1.	Fred Vincent, 3933 Bordeaux Cir	Life Quality
2.	Teresa Thomason, 1201 Oakwood Ct	Future Parks & Rec
3.	Rick Kenyon, 2009 Ring Teal Ln	K-3
4.	Chris Drew, 5209 Ravine Ridge Ct	SMARTGrowth
5.	Ron Newton, 2257 Shoreline Dr with donated time from: Melanie Newton, 2257 Shoreline Dr	K-1 (Minor Record Plat)
6.	Jennifer Depetro, no address provided with donated time from: Brandon McGuire, 2172 Shoreline Dr Ken Ekkel, 4441 Wanda Ln Morgan Walker, 2172 Shoreline Dr James DePetro, 4421 Wanda Ln	K-1 Twin Coves Estates
7.	Carroll LeBouef, Shoreline Dr	Twin Coves
8.	David Ekkel, 4441 Wanda Ln	K-1 Twin Coves Estates
9.	Tim Whisenant, 2300 Olympia	Tree topping

** Indicates person did not wish to speak*

F. ANNOUNCEMENTS

Announcements from the mayor and council members

Councilmember Engel reported attending a water treatment plant/sign shop tour, along with some of the Citizen's Academy participants. He also encouraged residents to sign up for the Academy in the fall.

Mayor France extended appreciation for everyone involved with the tour.

G. TOWN MANAGER'S REPORT

1. Capital Improvement Projects
2. Economic Development Projects
3. Organizational Updates

- a. Career Out update

Mr. Childers provided background information on the LISD Career Out day. Ms. Eby gave a presentation highlighting the various departments that the students visited.

Mr. Childers announced the release of the State of the Cities video.

H. FUTURE AGENDA ITEM(S)

The purpose of this item is to allow the Mayor and members of Council an opportunity to bring forward items they wish to discuss at a future meeting, with the understanding a consensus of Council is needed in order for that item to be placed on a future agenda and in accordance with the Town Council Agenda Setting Policy (Ord. 65-15).

Deputy Mayor Pro Tem Martin indicated she would like to discuss tree-topping as mentioned during public comment. There was Council consensus to have the discussion at a future meeting.

I. COORDINATION OF CALENDARS

Mayor France asked if all members of Council plan to attend the two upcoming meetings. Councilmember Taylor indicated he may not be at the 3/20 meeting and will know for sure later this week.

1. March 20 - Regular Meeting
2. March 30 - Special Budget Priorities Meeting

J. CONSENT ITEM(S)

This part of the agenda consists of non-controversial or "housekeeping" items required by law. Items may be removed from Consent by any council member by making such request prior to a motion and vote.

ACTION: Mayor Pro Tem Sandeep Sharma moved to approve consent items 1 - 9 as presented in the agenda caption.
Councilmember Brian Taylor seconded the motion.

AYES: Ann Martin, Jim Engel, Adam Schiestel, Brian Taylor, Sandeep Sharma

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

1. Minutes 2/16 & 2/20 - Consider approval of the minutes from the work session held on 2/16, and the 2/20 regular meeting.
2. Budget amendment - Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2022, and ending on September 30, 2023, as adopted by Ordinance No. 45-22 and amended by Ordinance No. 60-22 for adjustments to the General Fund and Vehicle & Equipment Replacement Fund.

ORDINANCE NO. 06-23

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2022, AND ENDING ON SEPTEMBER 30, 2023, AS ADOPTED BY ORDINANCE NO. 45-22 AND AMENDED BY ORDINANCE NO. 60-22, BY PROVIDING for adjustments to the General Fund AND VEHICLE AND EQUIPMENT REPLACEMENT FUND; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

3. CIP Amendment No. 3 - Consider Approval of Amendment No. 3 to the Fiscal Year 2022-2023 Capital Improvement Program.
4. USACE contract-law enforcement services - Consider approval of the 2023 US Army Corps of Engineer (USACE) solicitation for contract with the Town of Flower Mound for law enforcement services at Lake Grapevine and authorize the Mayor to execute same.
5. Track Loader Purchase - Consider approval of the purchase of one new Case TV370B Compact Rubber Track Loader per Town of Flower Mound Specifications and Vendor Quote from Associated Supply Company, Inc. in the amount of \$76,800.00.

6. Edgefield Trail Reconstruction - Consider approval of Change Order No. 1 for the construction of the Edgefield Trail Reconstruction (Wood Creek Drive to Timber Valley Drive) project, amending the contract with Jeske Construction Company, to provide for an increase to the contract in the amount of \$36,411.26; and authorization for the Mayor to execute same on behalf of the Town.
7. Engineering Services PSA - Consider approval of a Professional Services Agreement with Freese and Nichols, Inc. for Engineering Design Review Services in an amount not to exceed \$30,000 and authorization for the Mayor to execute same on behalf of the Town.
8. Denton Creek Blvd Bridge - Consider approval of the Second Amendment to the Professional Services Agreement with Burns & McDonnell Engineering Company, Inc., for design and construction phase services for the Denton Creek Boulevard Bridge project, in the amount of \$121,622.00; and authorization for the Mayor to execute same on behalf of the Town.
9. Bid Award-Work Uniforms - Consider approval of the award of Request for Bid (RFB) No. 2023-23-A for Work Uniforms to G & G Source dba PMF Uniforms and Just Right Products dba FW Promo for an estimated annual expenditure of \$60,000.00; and authorization for the Mayor to execute same on behalf of the Town. Each contract is for a one-year initial term with four one-year renewal options.

K. REGULAR ITEM(S)

1. MR22-0003 – Twin Cove Estates - Consider a request for a Minor Record Plat (MR22-0003 – Twin Cove Estates, Lot 20R, Block B) to create one lot for a private street. The property is generally located south of Wanda Lane and east of Shoreline Road. (PZ recommended approval by a vote of 6 to 0 at its February 13, 2023, meeting.) (TC moved to table this item to the March 6, 2023, meeting by a vote of 5 to 0 at its February 20, 2023, meeting.)

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Town code (Section 90-371)
- Plat exhibit

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

- access to the property by others
- road surface material that would be used if it became a Town road

- what is the benefit for the applicant
- possibility of a replat
- resident concerns regarding drainage and the uncapped well
- who is covering the cost under the private or public road option
- if there would be signage informing the public (if private road)
- standards associated with private versus public road
- if there was a date associated with the easement associated with the land
- possibility of incorporating language in the ordinance that recognizes the easement

Ryan Steckel, Applicant, responded to questions from Council regarding:

- site challenges
- is having the road designated as a private road and operating as an easement so others have access an issue
- if he was acceptable to not putting up a gate to block access
- if it is his intent to keep things as they exist today

There was Council discussion regarding the notation stated by the Town Attorney should alleviate concerns by the neighbors.

ACTION: Mayor Pro Tem Sandeep Sharma moved to approve item K.1 as presented and subject to the condition that a note be added to the face of the plat guaranteeing right of way access to the two adjacent properties (lots 17 and 18) for purposes of ingress and egress to their lots, and as verified by staff. Councilmember Jim Engel seconded the motion.

AYES: Ann Martin, Jim Engel, Adam Schiestel, Brian Taylor, Sandeep Sharma

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

2. Royal Oaks Water Line Replacement - Consider approval of a Construction Agreement with A & B Construction LLC for the Royal Oaks Water Line Replacement Phase I project, in the amount of \$1,353,490.00; and authorization for the Mayor to execute same on behalf of the Town.

Mr. Hummel gave a presentation identifying or noting:

- Background information about the project, including scope of work
- Project location, including a detailed aerial
- Verified bid results
- Project schedule

and he responded to questions from Council regarding:

- expected service disruptions to the school (Kirkpatrick)
- clarification regarding resident notifications

ACTION: Councilmember Brian Taylor moved to approve item K.2. as presented in the agenda caption. Mayor Pro Tem Sandeep Sharma seconded the motion.

AYES: Ann Martin, Jim Engel, Adam Schiestel, Brian Taylor, Sandeep Sharma

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

3. Long-Range Parks and Recreation Discussion - Long-Range Planning Discussion for Parks and Recreation

Mr. Childers provided background information about why this item is coming before the Council. Mr. Jennings gave a presentation identifying or noting:

- Mission statement
- Parks/Recreation division staff
- Parks (57) responsibilities, 60 miles of trails, and recreation facilities and programming
- Park projects
- Recreation and Cultural Arts (major responsibilities)
- Park projects
- Future needs
 - CAC expansion
 - Twin Coves Park Phase II
 - Tennis Center Development
 - Trails Master Plan
 - Western Recreation Center
 - Dunham Ranch Recreation Area
 - Parkland Acquisition
- Park service zones & 10 minute walk - maps
- Infographic - key findings of the 2021 engagement with parks report

and he responded to questions or comments from Council regarding:

- timing for CAC improvements
- Memorial Park update (timing)
- building size for the interior spaces at the proposed tennis center
- western Rec Center impact on renovation plans for current CAC
- on line reservation system opportunity for facilities, including courts
- technology improvements

- Interest in seeing the reporting side as it relates to festivals, and explore opportunities to increase festival activities (community engagement) when the weather is more favorable

L. BOARDS/COMMISSIONS

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: All Together Flower Mound Commission, Animal Services Board, Cultural Arts Commission, Denton County Transportation Authority, Environmental Conservation Commission, Historical Commission Task Force, Parks Board, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number (TIRZ #1), Transportation Commission, and Veterans Liaison Board.

No discussion.

M. CLOSED MEETING

The Town Council convened into a closed meeting at 8:29 p.m. on March 6, 2023, 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.

1. Consultation with Town Attorney.
 - a. Oncor transmission line, switch, and substation projects
 - b. Sunrise Circle development and adjacent properties
 - c. All Together Flower Mound Commission (organization, structure, and procedures)
 - d. Housing Discrimination Complaint
 - e. La Estancia Investments, L.P., v. Town of Flower Mound
2. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights-of-way, and/or other municipal purposes and all matters incident and related thereto.
3. Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.

4. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, performance related to certain incentive agreements, and proposed Tax Increment Reinvestment Zone (TIRZ) #1, TIRZ #2, PID, MMD, and MUD.

The Town Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Town Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or 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 provisions of Chapter 551, including the above referenced items.

N. RECONVENE TO REGULAR MEETING

The Town Council reconvened into an open meeting at 10:02 p.m. on March 6, 2023, and no action was taken on the above items.

O. ADJOURN

Mayor France adjourned the meeting at 10:03 p.m. on Monday, March 6, 2023, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



DEREK FRANCE, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY