

Town Council Regular Meeting



April 17, 2023
Town Hall
2121 Cross Timbers Road
Flower Mound, TX 75028

6:00 p.m.

MINUTES

A. CALL TO ORDER

Mayor France called the regular meeting to order at 6:00 p.m. 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 Development Services
Julie Taylor, Director of Treasury Operations
Clay Riggs, Director of Public Works
Paul Henley, Fire Chief
Melody Eby, Senior Economic Development Specialist

B. INVOCATION

Chaplain Mike Liles 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. Texas Fire Chiefs Association special recognition to Flower Mound Fire Department.

Representatives from the Fire Chief's Association (Neil Howard – Rowlett Fire, James Mallinger – Cedar Park Fire, Joel Baker- Austin Fire, and Dave Parker – Aldine Fire), presented Fire Chief Henley and Fire Department personnel with a special recognition for their best practices.

2. Junior Leadership Flower Mound

Ms. Eby gave a presentation identifying or noting:

- program overview
- business partners
- next steps

and she responded to questions from Council regarding:

- who can participate in the program and how could they find out more information
- possibility of including other school districts
- how could a business get involved in the program

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

	Speaker name and address	Subject (as written on the form)
1.	Drew Murray, 2824 Stratford Ln, Flower Mound	gun sales

F. ANNOUNCEMENTS

1. Announcements from the mayor and council members

Councilmember Engel announced the Police Department retirement and promotion events, as well as information about the Town's Earth Day native plant giveaway.

Deputy Mayor Pro Tem Martin announced that yesterday was National Librarian Day and she also provided information about an upcoming book sale.

Mayor France offered congratulations to the Marcus girls soccer team for winning the state championship and he announced voting information for the May 6th election.

G. TOWN MANAGER'S REPORT

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

Mr. Childers reported on a few bills being circulated in the Texas legislative session and noted that there will be additional discussion on this topic at this Thursday's work session. And he, or Mr. Meredith, responded to questions regarding what qualified immunity means.

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 that 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).

There were no future agenda item request.

I. COORDINATION OF CALENDARS

1. May 1 - Regular meeting
2. May 16 (Tuesday) - Regular meeting

Mayor France confirmed that all members plan to attend the above referenced meetings.

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.

1. Minutes 3/30 & 4/3 - Consider approval of the minutes from the 3/30 work session and 4/3 regular meeting.

ACTION: Mayor Pro Tem Sandeep Sharma moved to approve item J.1. as presented in the agenda caption. Councilmember Adam Schiestel seconded the motion.

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

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

K. REGULAR ITEM(S)

1. Oakbridge Crossing Development Agreement - Consider approval of a Development Agreement with Toll Southwest LLC., for park land dedication and construction of park improvements, and for construction of Aberdeen Drive with associated utility improvements for the Oakbridge Crossing residential development; for \$1,304,619.38 and authorization for the Mayor to execute same on behalf of the Town.

Mr. Riggs gave a presentation identifying or noting:

- Oakbridge Crossing Development Agreement
- map of location
- project schedule

ACTION: Mayor Pro Tem Sandeep Sharma moved to approve item K.1. as presented in the agenda caption. 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. ZPD22-0006 - Oncor Dunham Substation - Public Hearing to consider an ordinance amending the zoning (ZPD22-0006 – Oncor Dunham Substation) from Interim Holding (IH) uses to Planned Development District No. 195 (PD-195) with Single Family Estate (SF-E) uses, with certain modifications and exceptions to the Code of Ordinances. The property is generally located south of Dunham Road and east of Haynes Road. (PZ recommended approval by a vote of 6 to 0 at its March 27, 2023, meeting.)

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- zoning exhibit
- overall concept plan
- exceptions and modifications
- site photos
- concept plan
- concept elevations

and she responded to questions from Council regarding:

- fencing
- trees in area
- distance from the road

Seth Sampson, Siting Specialist, Oncor, responded to comments or questions from Council regarding:

- fencing
- landscape buffer and future options
- future plans for adjacent property
- build out time frame
- adjacent property uses
- security standards

Mayor France opened the public hearing at 7:01 p.m.

	SUPPORT	OPPOSITION	QUESTIONS OR COMMENTS ONLY
1.	James Wallace, 3500 Haynes Rd	None	Dru Murray, 2824 Stratford

Mayor France closed the public hearing at 7:05 p.m.

ORDINANCE NO. 13-23

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 158.80 ACRES OF LAND SITUATED IN THE RHODY KING SURVEY, ABSTRACT NO. 700, DENTON COUNTY, TEXAS, FROM IH

INTERIM HOLDING USES TO PLANNED DEVELOPMENT DISTRICT-195 (PD-195) WITH SF-E SINGLE FAMILY-ESTATE USES IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

ACTION: Councilmember Adam Schiestel moved to approve item K.2. as presented in the agenda caption, and with the modification to update the exhibits to match the applicants' exhibits. Councilmember Brian Taylor seconded the motion.

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

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

3. Certificates of Obligation, Series 2023 - Consider approval of a resolution approving and authorizing publication of notice of intention to issue Certificates of Obligation, Series 2023, in the principal amount not to exceed \$7,895,000, for the purpose of paying for waterworks and sewer system improvements.

Ms. Taylor and Mr. John Martin, Hilltop Securities, provided background information.

RESOLUTION NO. 07-23

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

ACTION: Mayor Pro Tem Sandeep Sharma moved to approve item K.3. 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

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, Parks Board, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number (TIRZ #1), Transportation Commission, and Veterans Liaison Board.

No action taken.

M. CLOSED MEETING

The Town Council convened into a closed meeting at 7:18 p.m. on April 17, 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.
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 7:49 p.m. on April 17, 2023, and no action was taken on the above items.

O. ADJOURN

Mayor France adjourned the meeting at 7:49 p.m.

TOWN OF FLOWER MOUND, TEXAS



DEREK FRANCE, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY