

Town Council Work Session



April 20, 2023
Town Hall
2121 Cross Timbers Road
Flower Mound, TX 75028

6:00 p.m.

MINUTES

A. CALL TO ORDER

Mayor France called the work session to order at 6:00 p.m. and 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
Tommy Dalton, Assistant Town Manager
Tiffany Bruce, Assistant Town Manager/Town Engineer
Lexin Murphy, Director of Development Services
JP Walton, Strategic Services Manager
Paul Henley, Fire Chief
Brandon Barth, Deputy Chief/Administration

B. INVOCATION

Mayor France 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. 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

No one spoke.

E. WORK SESSION ITEM(S)

1. Denco Area 9-1-1 District (DENCO) overview of public safety activities by Exec. Director Greg Ballentine

Mayor France announced that the reason Mr. Ballentine is here to follow up on questions or comments from some members of Council during a recent tour.

Greg Ballentine, Denco 9-1-1 Executive Director

Mr. Ballentine reported on their network and various systems in place for the 9-1-1 system, as well as some new features that will soon be available, and he responded to questions from Council regarding:

- if there are Texas legislative bills that impact DENCO 911 negatively
- coordinates and floor levels
- what contingencies re in place to ensure the system remains operational

and Chief Henley responded to questions regarding:

- importance of having information such as coordinates

Council Discussion:

Several members of Council expressed appreciation for the current and future technological plans.

2. Presentation and discussion of the Town's preparation and response to surface transportation incidents

Chief Henley and Deputy Chief Barth gave a presentation identifying or noting:

- general information (train derailments)
- incident recap
- rail lines present in the Town

- train identification
- response - Standard Operation Guidelines
- classification (levels)
- flow chart (response examples based on type of chemical)
- mutual aid
- recap of steps

and they responded to the following questions from Council:

- clarification as to how staff are made aware of the type of chemical in a specific train
- if types of substances that was involved in the Ohil derailment traveling through Flower Mound
- what caused the train derailments for this area
- is risk assessment available

3. Presentation and discussion on potential updates to the Town's Urban Design Plan

Ms. Murphy gave a presentation identifying or noting:

- Urban design plan (purpose and intent)
- Possible updates
- Facade colors
- Accent colors and schemes
- Gray tones and gray
 - images and graphics
 - windows and doors
 - accents and color schemes

and she responded to questions or comments from Council regarding:

- definitions
- safety concerns
- clarification as to what greater than 60% of glass means
- how frequently do applicants ask about colors that are not in our color palette

There was Council discussion regarding:

Glass:

- different levels might warrant a different look
- how more glass appears more modern instead of urban, so there does need to be a limit
- concerns about glare and reflections if more glass (reflectivity)

- acceptable if the wall of glass faces a natural feature
- interest in seeing both good and bad examples

Colors:

- how some of the colors are subjective
- interest in seeing examples of some of the accent colors discussed
- interest in keeping traditional colors and staying away from trends
- adjacencies (how it interacts with neighboring buildings)
- gray tones
- meritorious design option

Ms. Murphy outlined the next steps.

4. Presentation and discussion regarding legislative updates and possible action with a resolution related thereto (1 of 2).

Item 4 was moved to first on the agenda. Mr. Childers provided background information. Mr. Walton provided a bill summary and Town impact for the following bills:

Bill	Council Questions	Council Discussion
HB 2127 (preemption)	• timeline for the senate committee • which version of the bill does the senate hear	• intent is confusing • much uncertainty • waiver of immunity for municipalities is a concern • bill will result in a lot of lawsuits and waste taxdollars • no guardrails - it's wide open and there will be unintended consequences that will end up in court • what works for one community doesn't work for another (can't be a one size fits all) • taxation without representation • proposed amendments • unfunded mandates • support of taking a strong stance against the bill • disappointed in state house for passing this bill

		• preemption is not defined (no one knows what the impact will be) • hope the bill gets revised or stopped • relationship between house and senate
HB 2 (property tax)	• does HB 2 change the amount of revenue the Town can collect • gap between assessed and appraisal	• appraisal cap • how this bill is for political reasons • school funding could solve the issue with property taxes
HB 14 (3rd party inspection/review of development applications)	• who would be doing the 3rd party inspection and if they are qualified • who is paying for it	• how there is a pattern where local legislation is being taken away from municipalities and shifted to Austin
HB 2925 (civil service)		• how this bill tries to fix something that is not broken

For HB 2127:

ACTION:

Deputy Mayor Pro Tem Martin moved to authorize the mayor and Councilmembers to sign the letter of opposition and the mayor to sign the Resolution opposing HB 2127 and SB 814. Councilmember Taylor seconded the motion

AYES:

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

NAYS: None
ABSTAIN: None
RESULT: 5 : 0

RESOLUTION NO. 08-23

A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS OPPOSING THE CONTINUED PREEMPTION OF MUNICIPAL REGULATION AND OPPOSING HOUSE BILL 2127 AND SENATE BILL 814 RELATING TO STATE PREEMPTION OF AND THE EFFECT OF CERTAIN STATE OR FEDERAL LAW ON CERTAIN MUNICIPAL AND COUNTY REGULATION; AND PROVIDING AN EFFECTIVE DATE.

To read the full resolution and accompanying letter on H.B. 2127, [click here](#).

5. Presentation and discussion regarding legislative updates and possible action with a resolution related thereto (2 of 2).

ACTION: Deputy Mayor Pro Tem Ann Martin moved to authorize the mayor to draft and sign a letter and resolution opposing HB 14, HB 866, HB 2925, HB 2789, HB 3921, HB 1489 and relevant companion bills. Councilmember Schiestel seconded the motion.

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

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

RESOLUTION NO. 09-23

A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS OPPOSING THE CONTINUED PREEMPTION OF MUNICIPAL REGULATION AND OPPOSING HOUSE BILL 14, HOUSE BILL 866, SENATE BILL 494, HOUSE BILL 2925, HOUSE BILL 2789, SENATE BILL 1412, HOUSE BILL 3921, SENATE BILL 1787, AND HOUSE BILL 1489; AND PROVIDING AN EFFECTIVE DATE.

To read the full resolution and accompanying letter on the bills listed above, [click here](#)

F. ADJOURN

Mayor France adjourned the meeting at 8:23 p.m.

TOWN OF FLOWER MOUND, TEXAS



DEREK FRANCE, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY