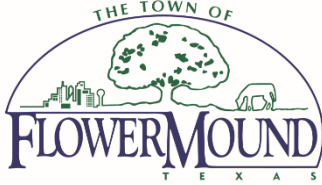


**FLOWER MOUND TOWN COUNCIL REGULAR MEETING;
TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION,
AND EMERGENCY MEDICAL SERVICES DISTRICT SPECIAL MEETING;
AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING**



July 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 meeting to order at 6:00 p.m. with the following members present:

Derek France, Mayor
Jim Engel, Mayor Pro Tem
Ann Martin, Deputy Mayor Pro Tem
Adam Schiestel, Councilmember Place 1
Chris Drew, Councilmember Place 2
Brian Taylor, Councilmember Place 3

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
Clay Riggs, Director of Public Works
Lexin Murphy, Director of Development Services
Brittni Barnett, Grants and Financial Analyst

B. INVOCATION

Chaplain 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. Proclamation and presentation of Hometown Hero banner to Parker McKenna.

Mayor France recited the proclamation and presented it to Parker McKenna.

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.	Clare Harris, 416 Northwood Dr with donated time from: Mary Jo Lengnick, 1701 Marble Pass Dr	ZPD22-0001/0003
2.	Fred Vincent, 3933 Bordeaux with donated time from: Laverne Amsterdam, 5705 Pine Valley	Environmental ECO Vehicle Fair
3.	Julie Hutchens, 370 Northwood Dr with donated time from: Kevin Hutchens, 370 Northwood Dr	ZPD22-0001/0003
4.	Rebecca Cox, 10600 Dunham Rd with donated time from: Carina Vanlaet, 3400 Camden	Victory Therapy Center
5.	Patrick Martin, 4700 Oak Springs Dr	4th of July
6.	Joe Bernard, 10605 Sunrise Cir	Sunrise - Septic
7.	Andrea Jeraci, 2906 River Bend Trl	Planning & Zoning
8.	Matthew Hurst, 4158 Meadowview Dr, Argyle	Sunrise
9.	Dakota Starnes, 4353 Meadowview Dr, Argyle	Sunrise
10.	Rebecca Karatzis, 408 Northwood	ZPD22-0001/0003

** Indicates person did not wish to speak*

F. ANNOUNCEMENTS

1. Announcements from the mayor and council members
Mayor France or Councilmembers made the following announcements regarding:
 - staff and volunteers appreciation for their work in another successful Independence Fest event
 - attendance at a 101st birthday celebration
 - upcoming art show at the senior center
 - attendance at a Fire Department promotion and pinning ceremony
 - Twin Coves Park open house this Saturday
 - sensory-friendly water time at the Community Activity Center
 - Argyle won the lone star cup in 5A
 - new Argyle ISD superintendent - Dr. Carpenter
 - LISD art competition

G. TOWN MANAGER'S REPORT

1. Capital Improvement Projects
2. Economic Development Projects
3. Organizational Updates
 - a. Director of Information Technology introduction - Jose Mendez
Mr. Childers introduced Jose Mendez, the Town's new IT Director.
4. Community Support Funding Recommendations
Ms. Barnett gave a presentation identifying or noting:
 - Process overview
 - Community support funding recommendation updateand she responded to questions from Council regarding:
 - How the numbers are calculated for the various organizations
 - Unused funds
5. Water Conservation
Mr. Riggs provided a reminder that the Town is in Stage 2 for watering and he outlined what those restrictions entail.

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

Mayor France asked for confirmation from members of Council regarding their attendance at the following meetings.

Councilmember Taylor indicated he will not be at the August 7th meeting and Councilmember Drew indicated he will be late.

1. July 20 - Work session
2. August 7 - Regular 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: Deputy Mayor Pro Tem Ann Martin moved to approve items 1 - 7 as presented in the agenda caption. Mayor Pro Tem Jim Engel seconded the motion.

AYES: Ann Martin, Jim Engel, Adam Schiestel, Brian Taylor, Chris Drew

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

1. Minutes - 6/15 and 6/19 - Consider approval of the minutes from a Strategic Planning Retreat held on 6/15, and a regular meeting of the Town Council; Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting held on 6/19.
2. Retaining Wall at the Mound - Construction Agreement - Consider approval of a Construction Agreement with C. Green Scaping, LP, for the Retaining Wall at the Mound renovation project, in the amount of \$226,867.15; and authorization for the Mayor to execute the same on behalf of the Town.
3. Wastewater Treatment Plant SBR Pump Rebuild - Consider approval of the purchase of Services to rebuild the Wastewater Treatment Plant 20-Inch Sequence Batch Reactor (SBR) Pump from Zone Industries/Precision Pump Systems in the amount of \$74,879.00.

4. Oak Street Sewer Lift Station Pump Rebuild - Consider approval of the purchase to rebuild the Oak Street Lift Station Pump Number 4 from Xylem Water Solutions and Water Technology in the amount of \$79,500.00.
5. HVAC replacement/renovation - Central Fire Station - Consider approval of the proposal from Trane to replace the existing HVAC systems on the crew side of Central Fire Station (Fire Station One) with Variable Refrigerant Flow Technology, and renovation of electrical systems to include demolition and relocation of commercial and emergency generator distribution systems to convert the Emergency Operations Center and specific HVAC systems to emergency power in the amount of \$660,153.00. This project is submitted per Omnia Partners Racine Contract # 3341 with Quote Number: L3-02-10514-22-002.
6. Bucket Truck Purchase-Public Works - Consider approval of the purchase of one 2023 Ford F550 Regular Cab Chassis with Aerial Lift and Service Body per Town of Flower Mound Specifications and Vendor Quote from Silsbee Ford for Public Works in the amount of \$183,966.50.
7. Budget Amendment (6th - FY 22-23) - 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, No. 06-23, No. 16-23, No. 19-23 and No. 21-23 for adjustments to the General Fund.

ORDINANCE NO. 28-23

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, NO. 06-23, NO. 16-23, NO. 19-23 AND NO. 21-23, BY PROVIDING FOR ADJUSTMENTS TO THE GENERAL 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.

K. REGULAR ITEM(S)

1. Charter Review - Discuss and consider Charter review process. This item was heard after regular items 2 and 3.

Ms. Scott provided background information regarding the purpose of the item and indicated that staff is seeking direction as to whether Council wants to review it themselves or appoint a Charter Review Commission.

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

- if Council reviewed, would all members have to participate or could it just be some members
- cost involved
- how many meetings a Charter review might have
- if there is a limit to the number of members
- can an existing board member serve on the commission
- whether the chair votes or not

There was Council discussion regarding:

- how many members should serve on the Commission
- the overall process, as well as the timing

There was Council consensus to proceed with a Charter Review Commission and the mayor and each council member would select someone to serve on the Charter Review Commission, for a total of 6 members. The mayor's selection would serve as chair and a voting member.

2. RP23-0001 - CNIK Addition Lots 1R & 2, Block A - Public Hearing to consider a request for a Replat (RP23-0001 - CNIK Addition Lots 1R & 2, Block A) to create two residential lots with an exception to the access management policy and criteria, regarding driveway spacing, contained in the Town's Engineering Design Criteria and Construction Standards adopted through Chapter 32 of the Code of Ordinances. The property is generally located northeast of the intersection of Scenic Drive and Wichita Trail. (PZ recommended approval by a vote of 6 to 0 at its June 26, 2023, meeting.)

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location of property
- land use and zoning
- replat
- exception (access management policy and criteria)
- site photos

and she responded to questions or comments from Council regarding:

- clarification regarding the prohibited use of a driveway on a collector street
- the alternative if not approved

Mayor France opened the public hearing at 7:08 p.m. No one spoke. Mayor France closed the public hearing at 7:08 p.m.

ACTION: Councilmember Adam Schiestel moved to approve as presented in the agenda caption, and with the requirement that the 250' separation between driveways must be maintained. Councilmember Chris Drew seconded the motion.

AYES: Ann Martin, Jim Engel, Adam Schiestel, Brian Taylor, Chris Drew

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

3. SUP23-0002 - Veterinary Emergency Group (VEG) - Public Hearing to consider an ordinance granting Specific Use Permit No. 485 (SUP23-0002– Veterinary Emergency Group (VEG)) to permit a veterinary hospital (inside pens) use. The property is generally located north of Churchill Drive and east of Long Prairie Road. (PZ recommended approval by a vote of 6 to 0 at its July 10, 2023, meeting.)

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- concept plan
- site photos
- concept plan
- elevations
- renderings
- conditions

Jennifer Hanlon, Director of Real Estate for Veterinary Emergency Group (VEG) gave a

Ms. Hanlon gave a presentation identifying or noting:

- Company background
- Floor plan
- Site plan
- Exterior modifications
- Landscaping upgrades
- Pet relief area - proposed materials
- FAQs
- Noise mitigation

and she responded to questions from Council regarding:

- Market research (given a similar business nearby)

Mayor France opened the public hearing at 7:23 p.m.

	SUPPORT	OPPOSITION	QUESTIONS OR COMMENTS ONLY
1.	Rich Muller, 3017 Woodhollow Dr	None	None

Mayor France closed the public hearing at 7:26 p.m.

There was Council discussion regarding:

- importance of having vet services close by
- how the modifications to the building will be an improvement over what is there now
- appreciation for the noise abatement proposed

ORDINANCE NO. 29-23

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, TOWN OF FLOWER MOUND, TEXAS, BY APPROVING SPECIFIC USE PERMIT NO. 485 (SUP-485) FOR A VETERINARY HOSPITAL (INSIDE PENS) USE ON CERTAIN PROPERTY DESCRIBED AS 0.96 ACRES OF LAND AND BEING ALL OF LOT 14, BLOCK 1 OF THE ALLISON 2 ADDITION, COMMONLY KNOWN AS 3614 LONG PRAIRIE ROAD, AND ZONED R-1 RETAIL DISTRICT-1; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

ACTION: Mayor Pro Tem Jim Engel moved to approve as presented in the agenda caption. Deputy Mayor Pro Tem Ann Martin seconded the motion.

AYES: Ann Martin, Jim Engel, Adam Schiestel, Brian Taylor, Chris Drew

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, Capital Improvements Advisory Committee, 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 action taken.

M. CLOSED MEETING

The Town Council to convene into closed meeting 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 Town Attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, as follows:

The Town Council convened into a closed meeting at 7:47 p.m. on July 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. La Estancia Investments, L.P. v. Town of Flower Mound, Texas, et al
 - b. House Bill 2127
 - c. Oncor transmission line, switch, and substation projects
 - d. Sunrise Circle development and adjacent properties
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

The Town Council reconvened into an open meeting at 10:24 p.m. on July 17, 2023, and no action was taken on the above items.

O. ADJOURN

Mayor France adjourned the meeting at 10:24 p.m.

TOWN OF FLOWER MOUND, TEXAS



DEREK FRANCE, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY