December 4, 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

with the following member(s) absent:
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
Tiffany Bruce, Assistant Town Manager/Town Engineer
Lexin Murphy, Director of Development Services
Andy Kancel, Police Chief
Lynda Bolitho, Director of Human Resources
Blake Hummel, Senior Project Engineer
Clay Riggs, Director of Public Works
Matthew Woods, Director of Environmental Services
Sue Ridnour, Director of Library Services
Brandon Barth, Deputy Fire Chief
Jerry Duffield, Assistant Fire Chief

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. Texas Police Best Practices Re-accreditation

   Kim Sylvester, President of the North Texas Police Chief's Association, provided background information about the re-accreditation and presented the certificate of recognition to Chief Kancel.

2. Donation from Friends of the Library

   Ann Martin, President of the Friends of the Library, presented the Town with a check for $75,000. Ms. Ridnour outlined what the funds would be used for.

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.	Scott Langley, 800 Carter Ct	Survey for Trotter Park
2.	Tom MCguire, 4316 Riverside Dr	River Walk Hotel Occupancy Tax/Signage

F. ANNOUNCEMENTS

1. Announcements from the mayor and council members

   There were mayor/council announcements regarding:

   - Christmas Parade and tree lighting
   - importance of helping those in need during the holiday season
   - annual Christmas concert - Flower Mound Symphony Orchestra, Treitch Choir, and Voices of Flower Mound
   - Flower Mound Citizen's Academy

- Salvation Army Kettle Challenge

G. TOWN MANAGER'S REPORT

No report.

1. Capital Improvement Projects

2. Economic Development Projects

3. Organizational Updates

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 was a future agenda item request to discuss the Peninsula neighborhood and the sign ordinance. Mr. Dalton noted that the topic is slated for the January work session.

I. COORDINATION OF CALENDARS

Mayor France confirmed that all members of Council plan to be at the December 18th meeting. There was no objection to canceling the December 21st work session.

1. December 18 - Regular Meeting

2. December 21 - Discuss and consider canceling this Work Session

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:	Jim Engel moved to approve consent items J1 - 23 as presented in the agenda caption. Chris Drew seconded the motion.
AYES:	Ann Martin, Jim Engel, Adam Schiestel, Chris Drew
NAYS:	None
ABSTAIN:	None
RESULT:	4 : 0

1. Minutes 11/16 - Consider approval of the minutes from a regular meeting and work session held on November 16.

2. Lakeside Parkway Capacity Improvements - Geotechnical PSA - Consider approval of a Professional Services Agreement with ECS Southwest, LLP, to provide subsurface exploration and geotechnical engineering services, for the Lakeside Parkway Capacity Improvements project, in the amount of $38,855.00; and authorization for the Mayor to execute same on behalf of the Town.

3. NEOGOV Agreement - Consider approval of an updated agreement with NEOGOV to provide applicant tracking, onboarding, and electronic performance evaluation software, and authorization for the Mayor to execute same on behalf of the Town.

4. PSA-Promoter Line (Ind. Fest) - Consider approval of a Professional Services Contract with Promoter Line, Inc., to provide professional event production and planning services for the 2024 Independence Fest, in an amount not-to-exceed $344,000.00 and authorization for the Mayor to execute same on behalf of the Town.

5. Vehicle Purchase - FD (F250) - Consider approval of the purchase of a 2024 Ford F250 4x4 SD Crew Cab for the Fire and Emergency Services Department from Chastang Ford, through Houston-Galveston Area Contract (HGAC) # AM10-23 in the amount of $110,122.00; and authorization for the Mayor to execute same on behalf of the Town.

6. Vehicle Purchase - FD (Tahoe) - Consider approval of the purchase of a 2024 Chevrolet Tahoe 9C1 4WD for the Fire and Emergency Services Department Fire Marshal's Office from Holiday Chevrolet, through Tarrant County Cooperative Contract #2023-016, in the total amount of $68,759.09; and authorization for the Mayor to execute same on behalf of the Town.

7. Ambulance Purchase - FD - Consider approval of the purchase of a 2024 Ford F450 Frazer ambulance for the Fire and Emergency Services Department from Sterling McCall, through Houston-Galveston Area Contract (HGAC) # AM10-23, in the total amount of $332,625.00; and authorization for the Mayor to execute same on behalf of the Town.

8. Ambulance Accessories Purchase - FD - Consider approval of the purchase of a Stryker ambulance cot and Power Load system for the 2024 Ford F450 Frazer ambulance purchase from Stryker Medical amount of $60,281.39; and authorization for the Mayor to execute same on behalf of the Town.

9. Vehicle Purchases - PD (Dodge) - Consider approval of purchasing (5) 2023 Dodge Durango PPV vehicles, all with Police Equipment Packages as per Town of Flower Mound specifications and vendor estimate via TIPS USA Cooperative Contract #210907, for $392,118.85.

10. Vehicle Purchases - PD (Toyota) - Consider approval of purchasing (2) 2023 Toyota Highlanders, both vehicles with vendor estimates via TIPS USA Cooperative Contract #210907, for $86,073.00.

11. Purchase 3-D Scanner - Grant Funds - Consider the use of grant funds (2024 Edward Byrne Memorial Justice Assistance program) for the purchase of a 3-D scanner in the amount of $78,510.58

12. 7th and Final FY 22-23 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, No. 06-23, No. 16-23, No. 19-23, No. 21-23, and No. 28-23 for adjustments to the General Fund, Debt Service Fund, Utility Fund, Stormwater Utility Fund, SAFER Grant Fund, and Health Insurance/ Flex Account Fund.

    ORDINANCE NO. 52-23

    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, NO. 21-23 AND NO. 28-23, BY PROVIDING FOR ADJUSTMENTS TO THE GENERAL FUND, DEBT SERVICE FUND, UTILITY FUND, STORMWATER UTILITY FUND, SAFER GRANT FUND, AND HEALTH INSURANCE/ FLEX ACCOUNT 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.

13. 2nd FY 22-23 Fire District Budget Amendment - Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District to consider approval of a resolution amending the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget for the fiscal year beginning on October 1, 2022, and ending on September 30, 2023, as adopted by Resolution No. 15-22 and amended by Resolution No. 13-23.

    RESOLUTION NO.29-23

    A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ACTING AS THE BOARD OF DIRECTORS OF THE TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, AMENDING THE BUDGET FOR THE TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, AS ADOPTED BY RESOLUTION NO. 15-22 AND AMENDED BY RESOLUTION NO. 13-23; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

14. 1st FY 23-24 Budget Amendment - Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2023, and ending on September 30, 2024, as adopted by Ordinance No. 37-23 for adjustments to the General Fund, Utility Fund, Stormwater Utility Fund, Tree Preservation Fund, Public Education Government (PEG) Fund, Chapter 59 Seizure Fund, Grant Fund, Vehicle and Equipment Replacement (VERF) Fund, and the Health Insurance/ Flex Account Fund.

    ORDINANCE NO. 53-23

    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, 2023, AND ENDING ON SEPTEMBER 30, 2024, AS ADOPTED BY ORDINANCE NO. 37-23, BY PROVIDING FOR ADJUSTMENTS TO THE GENERAL FUND, UTILITY FUND, STORMWATER UTILITY FUND, TREE PRESERVATION FUND, PUBLIC EDUCATION GOVERNMENT (PEG) FUND, CHAPTER 59 SEIZURE FUND, GRANTS FUND, VEHICLE AND EQUIPMENT REPLACEMENT FUND, AND HEALTH INSURANCE/FLEX ACCOUNT 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.

15. 1st FY 23-24 Crime District Budget Amendment - Town Council acting as the Board of Directors for the Town of Flower Mound Crime Control and Prevention District to consider approval of a resolution amending the Town of Flower Mound Crime Control and Prevention District budget for the fiscal year beginning on October 1, 2023, and ending on September 30, 2024, as adopted by Resolution No. 23-23.

    RESOLUTION NO. 30-23

    A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ACTING AS THE BOARD OF DIRECTORS OF THE TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT, AMENDING THE BUDGET FOR THE TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, AS ADOPTED BY RESOLUTION NO. 23-23; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

16. 1st FY 23-24 Fire District Budget Amendment - Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District to consider approval of a resolution amending the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget for the fiscal year beginning on October 1, 2023, and ending on September 30, 2024, as adopted by Resolution No. 22-23.

    RESOLUTION NO. 31-23

    A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ACTING AS THE BOARD OF DIRECTORS OF THE TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, AMENDING THE BUDGET FOR THE TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY

MEDICAL SERVICES DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, AS ADOPTED BY RESOLUTION NO. 22-23; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

17. PY 2022 CDBG CAPER - Consider approval of a resolution authorizing the adoption of the Program Year 2022 Consolidated Annual Performance & Evaluation Report for the Community Development Block Grant; and authorization for the Mayor to execute same on behalf of the Town and submit to the U.S. Department of Housing and Urban Development.

    RESOLUTION NO. 32-23

    A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, PROVIDING FOR THE ADOPTION OF FLOWER MOUND'S PROGRAM YEAR 2022 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AUTHORIZING THE MAYOR TO EXECUTE SAID REPORT; AND PROVIDING AN EFFECTIVE DATE.

18. Oak Street Lift Station - CoServ Transformer Upgrade - Consider the approval of a proposal from CoServ Electric for an electric transformer upgrade at the Oak Street Lift Station in the amount of $61,206.65.

19. CoServ Gas Rate Case Denial - Consider approval of a resolution authorizing the Town to join with the Steering Committee of Cities Served by CoServ Gas, Ltd. to deny CoServ Gas's application for approval to amend its gas rates.

    RESOLUTION NO. 33-23

    A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS FINDING THAT COSERV GAS, LTD.'S STATEMENT OF INTENT TO INCREASE RATES WITHIN THE TOWN SHOULD BE DENIED; FINDING THAT THE TOWN'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND TOWN'S LEGAL COUNSEL.

20. PSA Hillside Ln Reconstruction Project - Consider approval of a Professional Services Agreement with Alliance Geotechnical Group to provide construction materials engineering and testing for the Hillside Lane Reconstruction project, in the amount of $30,025.00; and authorization for the Mayor to execute same on behalf of the Town.

21. Annual Standards of Care Ordinance Update - Consider approval of Standards of Care for Youth Recreation Programs operated by the Town, in accordance with the Texas Human Resources Code-Section 42.041 and to adopt an Ordinance providing for said Standards. (The Parks Board recommended approval by a vote of 6 to 0 at its November 2, 2023 meeting).

    ORDINANCE NO. 54-23

    AN ORDINANCE AMENDING THE CODE OF ORDINANCES, TOWN OF FLOWER MOUND, TEXAS; AMENDING CHAPTER 54, "PARKS AND RECREATION," SECTION 54-202, "ADOPTION;" ADOPTING UPDATED

STANDARDS OF CARE FOR YOUTH RECREATION PROGRAMS; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

22. Roof Repair - FD (Station 1) - Consider the approval of the PMR Roofing proposal for the replacement of a section of standing seam roof at Fire Station 1, utilizing TIPS contract number 22010702 in the amount of $112,200.

23. Gas Well Pad Site Monitoring PSA - Consider approval of a Professional Services Agreement for gas well pad site monitoring by Modern Geosciences, LLC, in the amount of $41,600.00; and authorization for the Mayor to execute same on behalf of the Town.

K. REGULAR ITEM(S)

1. Proposed Charter amendments - Discuss and consider proposed Charter amendments as presented by the Charter Review Commission (final report) Steve Dixon, Chair, Charter Review Commission

Mr. Dixon gave a presentation identifying or noting:

1. background information
2. topics discussed and considered; however, no action recommended
3. proposed amendments (6)
    1. references to 2-year terms (remove)
    2. authorize the Town Manager to sign contracts up to $50,000
    3. remove the requirement that ordinance captions be published in the newspaper
    4. for the Town Manager residency requirement, authorize the Town Council to allow a 1-year extension (to establish residency)
    5. inclusion of Tarrant County language for filing the budget
    6. Tax Increment Reinvestment Zone (TIRZ) - recommend add language that would require a super majority of the Town Council for either:
        a. final approval of a new, revised, or modified TIRZ agreement, as well as for any expansion of the boundaries of an existing TIRZ
        b. the creation, final approval of a new, revised, or modified TIRZ agreement, as well as for any expansion of the boundaries of an existing TIRZ

or take no action (no additional language to the Charter)

Other Charter topics:

- Policy recommendation - adopt a policy that would make developers be responsible for election costs related to the creation of a MUD or PID
- Strategic Planning Session - suggest discussing the topic of high property taxes at a future strategic planning session

and he, Ms. Scott, Mr. Childers, or Mr. Meredith responded to questions or comments from Council regarding:

- if a digital format is considered a copy
- interest in knowing what the threshold is for the Town Manager signing authorization from our benchmark cities, including what the frequency is for contracts coming before the Council between $15,000 and $50,000
- for the newspaper publication requirement, there was interest in having clear language so that people would understand what they are voting for
- for the topic of TIRZ:
    - difference between final approval and creation of a TIRZ
    - clarification that language related to a super majority for a TIRZ is currently not in the Charter
    - where do the funds go if no development agreement is reached
    - unlikelihood of another TIRZ being created
  - for suggestion to discuss property taxes at a future strategic planning session: interest in having a future discussion about the possibility of a cap at a certain appraisal amount
  - possibility of bundling some of the amendments on the ballot
  - timing for when another Charter election can happen

Ms. Scott summarized that Council feedback includes:

- acceptance of proposed amendments 1, 3, 4, and 5
- further discussion is needed for proposed amendments 2, and 6, including a discussion about public, private partnerships and the possibility of taking this requirement away from the election cycle given some recent missed opportunities due to this requirement being in place
- there will be Council discussion at a future date regarding property taxes, and the possibility of establishing a policy regarding having developers pay for the cost of an election for MUDs or PIDs

2. Green Waste Program Options - Consider and discuss green waste program options presented by Republic Services.
Mr. Dalton gave a presentation identifying or noting:

- green waste (defined)
- background/history
- surveys

- ECC feedback

Jeri Harwell, Municipal Services Manager
Ms. Harwell gave a presentation identifying or noting the following information regarding a green waste program:

- contract overview
- options
- next steps for a successful program (pilot program - 60 days)
- details on how the program works
- cost to provide pilot program
- items to consider

and she responded to questions or comments from Council regarding:

- possibility of Republic selling special green waste bags (revenue source)
- cost justification
- landfill and organic matter (benefit)
- landfill capacity
- where would the green waste go
- how does Republic handle seasonality (summer months when not much green waste)
- clarification on the results of the pilot program
- concerns regarding the environment and use of diesel for extra trucks that would be needed for green waste collection (fuel consumption associated with the 3rd truck)

Council Discussion

There was general Council consensus to pursue the pilot program as presented, in addition to the EXY $45 overfill charge for commercial dumpsters.

3. SUP23-0005 – Long Prairie Golf Everywhere - Public Hearing to consider an ordinance granting Specific Use Permit No. 487 (SUP23-0005 – Long Prairie Golf Everywhere) to permit an amusement and recreation (indoors) use. The property is generally located north of Aberdeen Drive and east of Long Prairie Road. (PZ recommended approval by a vote of 6 to 0 at its November 13, 2023, meeting.)
Ms. Murphy gave a presentation identifying or noting:

- detailed location
- land use and zoning
- site plan
- landscape plan
- elevations

and she responded to questions from Council regarding:
decel lane

Applicant Presentation

Myles Vlachos, Golf Everywhere, gave a presentation identifying or noting:

- golf is on the rise
- current indoor golf landscape
- concept

and he responded to questions from Council regarding:

- his background
- if food and beverage is a component of the facility
- social aspects of the facility
- number of employees
- participation model
- possibility of adding pickleball to the concept
- cost to play

Mayor France opened the public hearing at 8:35 p.m.

	SUPPORT	OPPOSITION	QUESTIONS OR COMMENTS ONLY
1.	Angie Cox, 3209 Seaton Ct	None	None

Mayor France closed the public hearing at 8:37 p.m.

ACTION:	Jim Engel moved to approve K.3. as presented in the agenda caption. Ann Martin seconded the motion.
AYES:	Ann Martin, Jim Engel, Adam Schiestel, Chris Drew
NAYS:	None
ABSTAIN:	None
RESULT:	4 : 0

ORDINANCE NO. 55-23
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. 487 (SUP-487) FOR AN AMUSEMENT AND RECREATION (INDOORS) USE ON CERTAIN PROPERTY DESCRIBED AS APPROXIMATELY 7.739 ACRES OF LAND AND BEING A PORTION OF LOT 2R, BLOCK A OF THE LONG PRAIRIE PLAZA ADDITION, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 157 (PD-157) WITH R-2 RETAIL DISTRICT-2 USES; 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.

4. Z20-0005 - The River Walk at Central Park - Public Hearing to consider an ordinance for rezoning (Z20-0005 - The River Walk at Central Park) to amend the development standards for The River Walk at Central Park related to Article II - Uses and Article XI - Signage and to update the Concept Ground Sign Location exhibit. The property is generally located north of Cross Timbers Road, west of Morriss Road, and east of Long Prairie Road. (On Oct 23, 2024, at the request of the applicant, PZ tabled this item to its Nov 13, 2023, meeting by a vote of 6 to 0.) (PZ recommended approval by a vote of 5 to 1 at its Nov 13, 2023, meeting) ***(Applicant requests this item be postponed to Dec 18)***
   Mayor France announced that the applicant has requested items 4 and 5 be postponed until December 18.

   Mayor France opened the public hearing for items 4 and 5 at 8:39 p.m. No one spoke. Mayor France closed the public hearing at 8:39 p.m.

ACTION:	Adam Schiestel moved to postpone items 4 and 5 to December 18. Ann Martin seconded the motion.
AYES:	Ann Martin, Jim Engel, Adam Schiestel, Chris Drew
NAYS:	None
ABSTAIN:	None
RESULT:	4 : 0

5. Z23-0002 - The River Walk at Central Park, Promenade Way - Public Hearing to consider an ordinance for rezoning (Z23-0002 - The River Walk at Central Park, Promenade Way) to amend the development standards for The River Walk at Central Park related to Article II - Uses to propose standards for Extended Stay Hotel and to update the conceptual plan exhibits. The property is generally located north of Cross Timbers Road, west of Morriss Road, and east of Long Prairie Road. (PZ recommended approval by a vote of 4 to 2 at its Nov 13, 2023, meeting.) ***(Applicant requests this item be postponed to Dec 18)***
   See motion for item 4 (postpone to December 18).
6. Purchase of a Fire Apparatus - Consider approval of the purchase of a Pierce Aerial Fire Apparatus from Siddons Martin, through BuyBoard Contract #651-21, in the total amount of $1,483,301.30 ; and authorization for the Mayor to execute same on behalf of the Town.

   Mr. Barth gave a presentation identifying or noting:

   - apparatus overview
   - strategic planning
   - return on investment
   - SMARTGrowth (equity, effectiveness, efficiency)

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

- lifespan of vehicle
- supplier resource (reputation)
- lead time to get the vehicle here

There was Council discussion regarding:

- there is a good return for the investment

ACTION:	Ann Martin moved to approve item K.6. as presented in the agenda caption. Jim Engel seconded the motion.
AYES:	Ann Martin, Jim Engel, Adam Schiestel, Chris Drew
NAYS:	None
ABSTAIN:	None
RESULT:	4 : 0

7. Reinsurance Contract (Health Plan) - Consider approval of a reinsurance contract for the Town's Group Health Plan with Blue Cross and Blue Shield of Texas in the amount of $3,042,698; and authorization for the Mayor to execute the same on behalf of the Town.

Ms. Bolitho provided a summary of the item and introduced Scott Gibbs, McGriff Insurance (consultant), who gave a presentation identifying or noting:

- what is stop-loss insurance
- types of stop-loss coverage
- current stop-loss coverage
- historical stop-loss claim analysis
- RFP results and considerations
- payer matrix
- recommendations/next steps

and he, or Ms. Bolitho, responded to questions from Council regarding:

- possibility of consultation services to assess the Town's current health plan for cost savings or efficiencies
- bundling options for municipalities
- cost drivers
- how payer matrix works and interest in getting feedback later on how it's working
- out-of-pocket impact
- the lasering option, including timing

Council Discussion
There was Council discussion regarding:

- interest in doing everything to get costs down
- what is proposed is good for the employees

ACTION:	Ann Martin moved to approve item K.7. as presented in the agenda caption. Chris Drew seconded the motion.
AYES:	Ann Martin, Jim Engel, Adam Schiestel, Chris Drew
NAYS:	None
ABSTAIN:	None
RESULT:	4 : 0

8. Glen Chester Lift Station Rehabilitation Construction Award - Consider approval of a Construction Agreement with Red River Construction Company for the Glen Chester Lift Station Rehabilitation project, in the amount of $1,581,300.00; and authorization for the Mayor to execute same on behalf of the Town.
Mr. Hummel gave a presentation identifying or noting:

- project improvements
- site location
- site assessment photos
- verified bid results
- project schedule

and he responded to questions from Council regarding:

- cost, including concerns regarding additional modifications later on
- Town's history with Red River Construction Company
- how will the community be served while work is being performed

ACTION:	Jim Engel moved to approve item K.8. as presented in the agenda caption. Chris Drew seconded the motion.
AYES:	Ann Martin, Jim Engel, Adam Schiestel, Chris Drew
NAYS:	None
ABSTAIN:	None
RESULT:	4 : 0

9. Consider and discuss options for the Sunrise Circl - Consider and discuss options for the Sunrise Circle wastewater connection project along with feedback received during community meetings regarding zoning, on-site septic facilities, and financial assistance (Public Comment for this item will be heard at the time opened).

Mr. Dalton gave a presentation identifying or noting:

- detailed location
- recap (why coming forward to Council)
- utility history
- water service
- water provider
- water quality
- septic (enforcement, replacement)
- Town's wastewater extension policy
- wastewater project options
- water and septic concerns
- land use and zoning
- community outreach
- financial assistance
- potential options
- additional considerations

and he, Ms. Wilkinson, Mr. Riggs, Mr. Woods, Mr. Meredith, or Mr. Childers responded to questions from Council regarding:

- why did Monarch deny the Town's offer to take over the water
- possibility of a workshop to inform residents of resources
- financial assistance
- income requirements
- past wastewater option for Pecan Acres
- TCEQ letter and when water wells were drilled
- proximity of wells to septic system concerns
- current septic system violations the Town is monitoring
- current water tanks in the neighborhood

Mayor France opened public comment for this item at 10:32 p.m.

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.

	Name
1.	Joe Bernard, 10605 Sunrise Cir
2.	Dennis Hepler, 10705 Sunrise Cir
3.	Dana Ellsworth, 1419 Limerick Ct, Keller
4.	Matthew Hurst, 4158 Meadowview Dr, Argyle
5.	Bill Guy, 10616 Sunrise Cir*
6.	Dustin Atchison, 10528 Sunrise Cir, Argyle*

7.	Corey Huntley, 10500 Sunrise Cir, Argyle*
8.	Michael Jones, 10600 (street not indicated), Argyle*
9.	Magda Vazques, 10712 Sunrise Cir, Argyle*
10.	Carrie Lasley, 6404 Oakridge Ln*
11.	Delbert John, 6612 Oakridge Ln*
12.	Marjorie Quinton, 10608 Sunrise Cir, Argyle*
13.	Tara Bailey, 10713 Sunrise Cir*
14.	Matthew McCutcheon, 10309 Sunrise Cir, Argyle*
15.	Tylar Trimuar, 6634 Oakridge Ln, Argyle*
16.	Tomas Wakleblack, 10617 Sunrise Cir, Argyle*
17.	Kristina and Charles McAnally, 10520 Sunrise Cir, Argyle*

** Indicates person did not wish to speak*

Mayor France closed the public comment for this item at 10:46 p.m.

Council Discussion

There was Council discussion regarding:

- clarification regarding comments mentioned during public comment
- how the Town can't control the water system as it doesn't belong to the Town
- interest in having representatives from Monarch Utilities come to a Council meeting to discuss water quality
- how there are other neighborhoods in Flower Mound that are non-sewered and council has to keep that in mind
- homeowner responsibility
- possibility of taking no action other than exploring how residents can qualify for a grant
- how a good septic system could alleviate the problem
- like the idea of discussing options similar to the sidewalk repair program
- how nothing that is proposed fixes the issue of water quality
- effectiveness of a septic system
- legal concerns regarding public funds used to improve private property
- past situation with a failed septic system and how a lien on the property allowed the Town to solve the issue
- $3.2 million for the entire Town to pay is not a good option
- current situation with failing septic systems in this neighborhood

There was Council consensus to:

- explore and evaluate a septic replacement program similar to the Town's sidewalk program
- extend an invitation to Monarch Water Utility to establish that relationship and discuss the current water quality situation in the Sunrise area

L. BOARDS/COMMISSIONS

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: 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.

1. Historical Commission - Discuss and consider the establishment of a Historical Commission or other alternatives.

   Ms. Scott summarized that the purpose of the agenda item is to get feedback from Council regarding their interest in establishing a Historical Commission.

   There was Council discussion regarding:

   - would like the commission to have specific responsibilities
   - interest in the charge being somewhat open-ended so they have some flexibility
   - interest in having funds or scope of work being connected with the Town (i.e. Transportation Commission and sidewalk gap recommendations)
   - Open Meetings Act rules and the possibility of it impeding their progress
   - historical preservation (land versus stories and documents)
   - possibility of having a historical commission and a 501(C) 3
   - the need for some type of plan or implementation of best practices as it relates to history

   There was general Council consensus to proceed with the creation of a Historical Commission, with the understanding that the structure and scope would be discussed at a future meeting.

M. CLOSED MEETING

The Town Council convened into a closed meeting at 11:16 p.m. on December 4, 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

2. Discuss and consider purchase, exchange, lease or value of real property for parks, cultural arts, public safety, 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, grocers, corporate relocation/expansion/retention, hospitality projects, health care facilities, performance related to certain incentive agreements, and Tax Increment Reinvestment Zone (TIRZ) #1, TIRZ #2, River Walk PID No. 1, Proposed PID, MMDs, and MUDs.

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 12:03 a.m. on December 5, 2023, and no action was taken on the above items.

O. ADJOURN

Mayor France adjourned the meeting at 12:04 a.m. on Tuesday, December 5, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

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DEREK FRANCE, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY