

Town Council Regular Meeting



June 17, 2024
Town Hall
2121 Cross Timbers Road
Flower Mound, TX 75028

6:00 p.m.

MINUTES

A. CALL TO ORDER

Mayor Moore called the meeting to order at 6:00 p.m. with the following members present:

Cheryl Moore, Mayor
Ann Martin, Mayor Pro Tem
Adam Schiestel, Deputy Mayor Pro Tem
Chris Drew, Councilmember Place 2
Brian Taylor, Councilmember Place 3
Janvier Werner, 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
John Zagurski, Chief Financial Officer
Julie Taylor, Director of Treasury Operations
Chuck Jennings, Director of Parks and Recreation
Sarah Luxton, Senior Management Analyst
Clayton Litton, Parks Superintendent

B. INVOCATION

Chaplain Langstaff 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 Moore led the pledges.

D. PUBLIC COMMENT

	Speaker name and address	Subject (as written on the form)
1.	Nicholas Underwood, 5800 Dayflower Dr	Letter to federal representatives

E. ANNOUNCEMENTS

1. Announcements from the mayor and council members
There were announcements from Mayor or Councilmembers regarding:
 - Canyon Falls Park opening
 - July 4th Independence Fest
 - Judge Tasker's resignation
 - June 19th event

F. TOWN MANAGER'S REPORT

1. Capital Improvement Projects
2. Economic Development Projects
3. Organizational Updates
4. Debris Pick Up Update
Mr. Childers provided an update on the debris pick-up response.

G. FUTURE AGENDA ITEM(S)

There were no future agenda item request.

H. COORDINATION OF CALENDARS

1. July 1 - Regular Meeting

Councilmember Drew indicated he would not be at the July 1st meeting.

I. CONSENT ITEM(S)

ACTION: Chris Drew moved to approve Consent Items 1 - 5 as presented in the agenda caption. Adam Schiestel seconded the motion.
AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner
NAYS: None
ABSTAIN: None
RESULT: 5 : 0

1. Minutes - 6/3 - Consider approval of the minutes from a regular meeting held June 3, 2024.
2. Purchase Equipment - Parks Dept - Consider the purchase of 4 Groundsmaster mowers, a Pro Force Blower, and an Infield Groomer per the Town of Flower Mound specifications in the amount of \$367,872.26, from Professional Turf Products utilizing the BuyBoard Contract #706-23.
3. Purchase Loader - Parks Dept. - Consider purchase of a Mini Track Loader with a 44" Brushcat, Case Drain, Shutdown Kit, 36" bucket and bolt on cutting edge, 36" root grapple, trencher with chain, 52" angle broom with 10.3 motor, and attachment control kit per the Town of Flower Mound specifications in the amount of \$53,038.27, from Bobcat Equipment Company utilizing the BuyBoard Contract #685-22.
4. Armored Vehicle Purchase- PD - Consider approval of purchasing one (1) Terradyne GURKHA MPV Armored Vehicle built on a Ford 550 chassis with police equipment package as per Town of Flower Mound specifications and vendor estimate from Terradyne Armored Vehicles Inc. for \$326,809.
5. Audit Engagement - Consider approval of the engagement letter with Eide Bailly, L.L.P., to perform external auditing services for the fiscal year ending September 30, 2024, and authorization for the Mayor to execute the same on behalf of the Town.

J. CLOSED MEETING

Mayor Moore announced that the Town Council is convening into a closed meeting at 6:16 p.m., pursuant to Texas Government Code Chapter 551.074. The Town Council reconvened into an open meeting at 7:55 p.m. No action taken.

1. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Municipal Judge, Alternate Judge, and Associate Judge.

K. REGULAR ITEM(S)

1. Certificates of Obligation - Consider approval of an ordinance authorizing the issuance of the Town of Flower Mound, Texas, Certificates of Obligation, Series 2024, for the purpose of paying for street, waterworks and sewer system improvements, establishing parameters for the sale and issuance of such bonds, delegating certain matters to an authorized official of the Town and resolving all matters incident and related thereto.

Mayor Moore opened items 1 and 2 at the same time.

Ms. Taylor, or John Martin, Hilltop Securities, gave a presentation for items 1 and 2 identifying or noting:

- Certificates of obligation bonds
- General obligation refunding bonds
- AAA rating affirmation
- savings to the Town
- Municipal bond market

and they, or Ms. Bruce responded to questions from Council regarding:

- what the future might hold regarding interest rates
- principal amount reduction

ACTION:	Brian Taylor moved to approve K.1. as presented in the agenda caption. Ann Martin seconded the motion.
AYES:	Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner
NAYS:	None
ABSTAIN:	None
RESULT:	5 : 0

ORDINANCE NO. 24-24

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "TOWN OF FLOWER MOUND, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2024"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES OF OBLIGATION BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE TOWN AND A LIMITED PLEDGE OF THE NET REVENUES DERIVED FROM THE OPERATION OF THE TOWN'S WATERWORKS AND SEWER SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SUCH CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY AND DELIVERY OF SAID CERTIFICATES OF OBLIGATION; DELEGATING MATTERS

RELATING TO THE SALE AND ISSUANCE OF SAID CERTIFICATES TO AN AUTHORIZED TOWN OFFICIAL; AND PROVIDING AN EFFECTIVE DATE.

2. General Obligation Refunding Bonds - Consider approval of an ordinance authorizing the issuance of the Town of Flower Mound, Texas, General Obligation Refunding Bonds, Series 2023, establishing parameters for the sale and issuance of such bonds, delegating certain matters to an authorized official of the Town and resolving all matters incident and related thereto.

ACTION: Ann Martin moved to approve K.2. as presented in the agenda caption. Chris Drew seconded the motion.
AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner
NAYS: None
ABSTAIN: None
RESULT: 5 : 0

ORDINANCE NO. 25-24

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "TOWN OF FLOWER MOUND, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2024"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS; ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF SAID BONDS; AND DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID BONDS TO AN AUTHORIZED TOWN OFFICIAL.

3. TPWD Grant Application (Trotter Park) - Public Hearing to consider approval of a resolution authorizing the application of a grant proposal to the Texas Parks and Wildlife Department, for funding assistance for the development of Trotter Park; and authorization for the Mayor to execute same on behalf of the Town.

Mr. Jennings gave a presentation identifying or noting:

- grant information, including what the program entails, funding, and timeline
- Trotter Park (background)

and he responded to questions from Council regarding:

- timing
- parameters that are reviewed as part of the process

Mayor Moore opened the public hearing at 8:12 p.m. No one spoke. Mayor Moore closed the public hearing at 8:12 p.m.

ACTION: Adam Schiestel moved to approve K.3. as presented in the agenda caption. Chris Drew seconded the motion.
AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner
NAYS: None
ABSTAIN: None
RESULT: 5 : 0

RESOLUTION NO. 08-24

A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS, DESIGNATING THE DIRECTOR OF PARKS AND RECREATION AS THE TOWN'S REPRESENTATIVE TO WORK WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT FOR THE PURPOSE OF SUBMITTING AN APPLICATION FOR THE TEXAS PARKS & WILDLIFE LOCAL PARKS – NON-URBAN OUTDOOR GRANT FOR THE DEVELOPMENT OF TROTTER PARK; CERTIFYING THAT THE TOWN IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE TOWN'S MATCHING SHARE IS AVAILABLE IN CURRENT FUNDS; AND DEDICATING THE PROPOSED SITE FOR PERMANENT PUBLIC AND RECREATIONAL USES; AND PROVIDING AN EFFECTIVE DATE.

4. CSP24-0002 - HTeaO Comprehensive Sign Package - Public Hearing to consider a request for a Comprehensive Sign Package (CSP24-0002- HTeaO Comprehensive Sign Package) to allow a larger wall sign and additional wall signs on the building. The property is generally located south of Cross Timbers Road and west of Morriss Road. (PZ recommended approval by a vote of 5 to 1 at its June 10, 2024, meeting.)

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- sign exhibit
- site photos
- CSP purpose
- East, West, North, and South elevation

and she responded to questions from Council regarding:

- allowable window signage
- interchangeable sign use

Aaron Mattlage, HTeaO (Applicant)

- requested signage
- site rendering

and he responded to questions from Council regarding:

- lighting
- business hours
- window signage

Mayor Moore opened the public hearing at 8:25 p.m., and no one spoke. Mayor Moore closed the public hearing at 8:25 p.m.

ACTION: Adam Schiestel moved to approve K.4. as presented, excluding the B1, 2, and 3 poster signs. Janvier Werner seconded the motion.

AYES: Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner

NAYS: Ann Martin

ABSTAIN: None

RESULT: 4 : 1

5. ZPD24-0002 - Oncor Dunham Substation - Public Hearing to consider an ordinance for rezoning (ZPD24-0002 – Oncor Dunham Substation) to amend Planned Development District No. 195 (PD-195) with Single Family Estate (SF-E) uses to modify conceptual plans. 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 June 10, 2024, meeting.)

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- overall concept plan
- zoning exhibit comparison
- site photos
- concept plan

and she responded to questions or comments from Council regarding:

- acreage clarification

Mayor Moore opened the public hearing at 8:36 p.m., and no one spoke. Mayor Moore closed the public hearing at 8:37 p.m.

ACTION: Chris Drew moved to approve K.5. as presented in the agenda caption. Adam Schiestel seconded the motion.

AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner

NAYS: None

ABSTAIN: None
RESULT: 5 : 0

ORDINANCE NO. 26-24

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 13-23, WHICH ESTABLISHED PLANNED DEVELOPMENT DISTRICT NO. 195 (PD-195) ON APPROXIMATELY 158.80 ACRES OF LAND AND BEING ALL OF LOTS 1 AND 2, BLOCK 1, DUNHAM ADDITION, DENTON COUNTY, TEXAS, BY REPLACING THE ZONING EXHIBIT, DEVELOPMENT STANDARDS, AND CONCEPTUAL SITE PLAN; 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.

6. Public Tree Planting and Tree Guides - Presentation and discussion regarding FY 2023-24 Strategic Initiatives 1.2 & 1.3 on Public Tree Planting and Tree Guides.

Ms. Luxton gave a presentation identifying or noting:

- FY 23-24 Strategic plan (background)
- Tree USA grant
- tree species
- locations
- tree planting guides (development, residential)

and she, Mr. Litton, or Ms. Bruce responded to questions or comments from Council regarding:

- possibility of offering shade at the Animal Services Center
- cost and count of trees at the various sites
- potential utilization by the public
- irrigation needs
- Parks Board recommendation
- Lacebark elm (hardiness)
- absence of Post Oaks on the protected tree list
- protected versus specimen tree
- interest in seeing favorable conditions for specific trees (wet, dry, slow growing, etc.)

Council expressed interest in planting trees at Bakersfield, Gerault, and Colony parks, as well as some roadside planting options (similar to Valley Ridge).

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, Community Development Corporation, Cultural Arts Commission, Denton County Transportation Authority, Environmental Conservation Commission, Historical Commission, Parks Board, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number (TIRZ #1), Tax Increment Reinvestment Zone Number (TIRZ #2), Transportation Commission, and Veterans Liaison Board.

1. Blue Ribbon Bond Committee

Mr. Zagurski provided background information on the bond committee, and he, or Mr. Meredith answered questions regarding:

- quorum possibility
- favorable to individuals with parks and transportation experience

and Councilmembers recited the following names to serve on the committee:

1. _____ (non-voting chair)
2. _____
3. Scott Langley
4. Todd Bayuk
5. Murthy Mantha
6. Clare Harris
7. Laverne Amsterdam
8. Michelle Jackson
9. Sandeep Sharma
10. Steve Lyda
11. Ann Martin
12. _____

and with the additional names to come forward at the July 1 meeting.

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 indicated below. 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 below-referenced items.

Mayor Moore announced that the Town Council is convening into a closed meeting at 9:03 p.m., pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074, and 551.087.

1. Consultation with Town Attorney.

a. Furst Ranch Development Agreement

2. Discuss and consider purchase, exchange, lease or value of real property for parks, cultural arts, public safety, fire stations, 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, 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

N. RECONVENE

The Town Council reconvened into an open meeting at 9:49 p.m., and no action was taken.

O. ADJOURN

Mayor Moore adjourned the meeting at 9:49 p.m. and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



CHERYL MOORE, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY