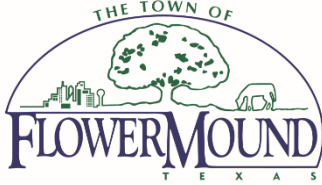


**FLOWER MOUND TOWN COUNCIL REGULAR MEETING;
TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION,
AND EMERGENCY MEDICAL SERVICES DISTRICT SPECIAL MEETING;
AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING**



September 16, 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
Tom Vyles, Environmental Health Manager
Meg Jakubik, Director of Budget Services
David Coulon, Police Chief

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 Moore led the pledges.

D. PRESENTATION(S)

1. LIVEUnited Month Proclamation - United Way

Mayor Moore recited the proclamation and presented it to Frank Dixon and Michael Martinez, United Way Board members, and residents.

2. Constitution Week Proclamation - Daughter's of the American Revolution
Mayor Moore recited the proclamation and presented it to Shari Willaims, DARS Flower Mound Chapter.
3. Food Safety Award
Mr. Vyles provided background information about the Food Safety Award program and announced the winners.

E. PUBLIC COMMENT

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.	Si Simonson, 3104 Native Oak Dr	Veterans Day Speaker
2.	Jane and Greg Crews, 3300 Druid Way	Fentanyl and mental health awareness
3.	Karl Schafler, 4305 Millington Dr	Fentanyl awareness
4.	Sweetie Bowman, 6524 Orchard Dr	Artist studio tour
5.	Venny Carrion, 3424 Heather Glen	Fentanyl

F. ANNOUNCEMENTS

There were announcements from Mayor/Councilmembers regarding:

- Drug repository at Police Department
- Gribson Grant Cabin
- Artist open studio tour
- Art Party at the Flower Mound Library
- Doggie dive at the CAC
- Do Your Part, Make Some Art - Sept 28
- Outstanding Citizenship Award
- Communications awards (7)
- H TeO now open at Morriss/1171
- Flower Mound Fire, Police Department, and Officer Christian Edmondson voted Best of Denton County
- Veterans Relay Run

G. TOWN MANAGER'S REPORT

1. Capital Improvement Projects
2. Economic Development Projects
Mr. Childers announced a Social Media Usage workshop is scheduled for September 19th, and in collaboration with the Flower Mound Chamber.
3. Organizational Updates

H. FUTURE AGENDA ITEM(S)

Mayor Moore requested a future agenda on the topic of drug overdose (particularly fentanyl and opioids) and what's being done by the Town and area nonprofits. There was Council consensus to have the discussion.

I. COORDINATION OF CALENDARS

Mayor Moore confirmed that all members of Council plan to be at the following meetings. Councilmember Drew indicated he will be participating remotely on Oct. 7.

1. September 17 - B&C Interview #1
2. September 19 - B&C Interview #2
3. October 7 - Regular Meeting
4.
 - Discuss and prioritize future work session topics:
 - Town lighting regulations
 - Naming of Independence Fest Car Show
 - Rainwater Harvesting
 - Utility Rates: currently scheduled for March 20, 2025
 - Hotel Occupancy Tax revenue: currently scheduled for March 20, 2025

Mr. Childers outlined various topics staff is tracking for future work sessions.

5. Discuss canceling the December 19 Work Session
There was Council consensus to cancel the December 19th work session.

J. CONSENT ITEM(S)

ACTION: Brian Taylor moved to approve consent items J.1; 3 - 14 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

1. Minutes - 8/19 - Consider approval of the minutes from a regular meeting held on August 19, 2024.

2. Atmos Rate Case - Consider approval of a resolution adopting Atmos Energy Corp., Mid-Tex Division's rate tariffs that reflect the negotiated rate change pursuant to the Rate Review Mechanism process.
This item was moved from consent to regular.

Councilmember Werner recused herself from discussion on this item.

Ms. Jakubik provided background information for this item, and she, or Mr. Childers, responded to questions from Council regarding:

- consumption and rate charges
- clarification regarding the categories of customers and how calculated
- communication
- possibility of tabling this item

Jan Rugg, Manager of Public Affairs, Atmos

Ms. Rugg provided information as it relates to commercial and residential customer consumption and responded to questions from Council regarding:

- rate change categories
- modernization of meters
- consumption charges

ACTION:	Adam Schiestel moved to approve J.2. as presented in the agenda caption. Ann Martin seconded the motion.
AYES:	Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor
NAYS:	None
RECUSED:	Janvier Werner
RESULT:	4 : 0

RESOLUTION NO. 11-24

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2024 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN

- EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.
3. Investment Policy - Consider approval of a resolution adopting an Investment Policy for funds for the Town of Flower Mound as required annually by the Public Funds Investment Act.
RESOLUTION NO. 12-24
A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS ("TOWN"), ADOPTING AN INVESTMENT POLICY FOR FUNDS FOR THE TOWN AS REQUIRED ANNUALLY BY THE PUBLIC FUNDS INVESTMENT ACT; AND PROVIDING AN EFFECTIVE DATE.
 4. Water and Sewer System Rates - Consider approval of an ordinance amending Appendix A of the Code of Ordinances by amending the charges for residential and non-residential water and sewer service; providing a severability clause; providing for publication; and providing an effective date.
ORDINANCE NO. 38-24
AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING APPENDIX A, "FEE SCHEDULE," OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND BY AMENDING THE CHARGES CONTAINED THEREIN FOR RESIDENTIAL AND NON-RESIDENTIAL WATER AND SEWER SERVICE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.
 5. Stormwater Utility System Fee - Consider approval of an ordinance amending the Code of Ordinances of the Town of Flower Mound through the amendment of Appendix A "Fee Schedule" of the Code of Ordinances by amending and ratifying the fee not codified in Section 70-777 relative to the charges for the Stormwater Utility System fee.
ORDINANCE NO. 39-24
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING APPENDIX A "FEE SCHEDULE" OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND RELATIVE TO THE CHARGES FOR STORMWATER UTILITY SYSTEM FEES; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.
 6. Blue Ribbon Bond Committee Resolution - Consider adopting a Resolution establishing a Blue Ribbon Bond Committee, and defining its purpose and scope of work.
RESOLUTION NO. 13-24
A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS, ESTABLISHING A BLUE RIBBON BOND COMMITTEE, OUTLINING ITS STRUCTURE, DEFINING ITS PURPOSE AND SCOPE OF WORK, AND SETTING A SUNSET DATE; AND PROVIDING AN EFFECTIVE DATE.
 7. 2024 Mound Throw Down Event - Beer/Wine Request - Consider approval for the sale and consumption of alcoholic beverages (beer and wine) at the Heritage Park of Flower Mound during Therapeutic Recreation Group's 2024 Mound Throw Down event. The Parks Board recommended approval by a vote of 6 to 0 at its September 5, 2024, regular meeting.

8. Vehicle Purchases - PD - Consider approval of purchasing four (4) 2024 Chevrolet Silverado Crew Cab Trucks with a police equipment package from Lake Country Chevrolet as per Town of Flower Mound specifications and vendor estimate via TIPS USA Cooperative Contract for \$201,094.00.
9. Joint Firefighting Training Facility ILA Amendment - Consider the approval of the Second Amendment to the Interlocal Agreement between the City of Lewisville, the Town of Flower Mound, and the City of Highland Village for the design, construction, maintenance, operation, and management of a Joint Firefighting Training Facility.
10. PSA - Wastewater Preliminary Treatment Area Screen Equipment - Consider approval of a Professional Service Agreement with Plummer Associates, Inc., for the Wastewater Preliminary Treatment Area Screen Equipment Replacement project, in the amount of \$57,585; and authorization for the Mayor to execute same on behalf of the Town.
11. Erosion Control - Construction Agreement - Consider approval of a Construction Agreement with Knight Erosion Control, Inc. for site repairs of the aerial sanitary sewer line creek crossing near River Bend Trail, in the amount of \$356,143.21; and authorization for the Mayor to execute same on behalf of the Town.
12. Construction Agreement with Texas Pride Utilities, LLC - Consider approval of a Construction Agreement with Texas Pride Utilities, LLC, for the Kirkpatrick Lane and Stapleton Street Sanitary Sewer Rehabilitation project, in the amount of \$700,494.00; and authorization for the Mayor to execute same on behalf of the Town.
13. Professional Services Firm Selections - Consider approval of twenty-two (22) professional engineering firms to provide professional engineering services, five (5) geotechnical engineering firms to provide material testing services, two (2) independent property appraisal firms to provide real property appraisals, and two (2) subsurface utility engineering firms to provide subsurface utility engineering for the Town, for a two-year term ending September 15, 2026.
14. TML Interlocal Agreement - Consider approval of the Cyber Liability and Data Breach Response Interlocal Agreement with Texas Municipal League Intergovernmental Risk Pool to join the self-insurance pool to be named the Texas Municipal League Joint Cyber Liability and Data Breach Response Self-Insurance Fund.

K. REGULAR ITEM(S)

1. FY 24-25 Budget Public Hearing - Public Hearing to consider the proposed budget for the fiscal year beginning on October 1, 2024, and ending on September 30, 2025.

Mayor Moore opened items 1 - 4 at the same time.

Ms. Jakubik gave a presentation for items 1 - 4 identifying or noting:

- strategic focus
- decision packages by objective
- capital projects, including funding
- changes from proposed budget
- 2024 proposed tax rate
- debt service fund
- no-new revenue tax rate
- voter approval tax rate
- property tax bill
- monthly cost breakdown (town services)
- financial overview
- crime control and prevention district

and she responded to questions from Council regarding:

- meter replacements
- certified tax rolls

Mayor Moore opened the public hearing for item K.1 at 7:10 p.m.

	SUPPORT	OPPOSITION	QUESTIONS OR COMMENTS ONLY
1.			Venny Carrion, 3424 Heather Glen

Mayor Moore closed the public hearing for item K.1 at 7:10 p.m.

No action was required for item K.1- Public Hearing only.

2. FY 24-25 Budget Adoption - Consider approval of an ordinance adopting the budget for the fiscal year beginning on October 1, 2024, and ending on September 30, 2025, and making appropriations for each fund and department.

Motion 1 of 2 for item K.2:

ACTION: Adam Schiestel moved to approve an ordinance adopting the budget for the fiscal year beginning on October 1, 2024, and ending on September 30, 2025, and making appropriations for each fund and department. Janvier Werner seconded the motion.

AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner
NAYS: None
ABSTAIN: None
RESULT: 5 : 0

Motion 2 of 2 for item K.2:

ACTION: Adam Schiestel moved to ratify the property tax revenue increase reflected in the FY 2024-2025 budget. Brian Taylor seconded the motion.

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

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

ORDINANCE NO. 40-24

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025, AND MAKING APPROPRIATIONS FOR EACH FUND AND DEPARTMENT; PROVIDING FOR THE LEVYING AND COLLECTION OF A SUFFICIENT TAX TO PAY THE INTEREST ON SINKING FUND AND OTHER OBLIGATIONS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

3. FY 24-25 Fire District Budget Adoption - 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 adopting the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget for the fiscal year beginning on October 1, 2024, and ending on September 30, 2025.

ACTION: Brian Taylor made a motion that the Town Council, acting as the Board of Directors for the Fire Control, Prevention, and Emergency Medical Services District, move to approve a resolution adopting the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District budget for the fiscal year beginning on October 1, 2024, and ending on September 30, 2025. Adam Schiestel seconded the motion.

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

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

RESOLUTION NO. 14-24

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, ADOPTING AND APPROVING THE BUDGET FOR THE TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

4. FY 24-25 Crime District Budget Adoption - 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 adopting the Town of Flower Mound Crime Control and Prevention District budget for the fiscal year beginning on October 1, 2024, and ending on September 30, 2025.

ACTION: Ann Martin made a motion that The Town Council, acting as the Board of Directors for the Crime Control and Prevention District, move to approve a resolution adopting the Town of Flower Mound Crime Control and Prevention District budget for the fiscal year beginning on October 1, 2024, and ending on September 30, 2025. 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. 15-24

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, ADOPTING AND APPROVING THE BUDGET FOR THE TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

5. FY 24-25 Tax Rate Adoption - Public Hearing to consider approval of an ordinance adopting the 2024 tax rolls and fixing and levying municipal ad valorem taxes for the fiscal year beginning on October 1, 2024, and ending on September 30, 2025, and for each fiscal year thereafter until otherwise provided,

at the rate of \$0.387278 per \$100 assessed valuation on all taxable property within the corporate limits of the Town of Flower Mound as of January 1, 2024.

Mayor Moore opened the public hearing at 7:28 p.m.

	SUPPORT	OPPOSITION	QUESTIONS OR COMMENTS ONLY
1.			Venny Carrion, 3424 Heather Glen, Flower Mound, TX

Mayor Moore closed the public hearing at 7:30 p.m.

ORDINANCE NO. 41-24

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2024, AND ENDING ON SEPTEMBER 30, 2025, AND FOR EACH FISCAL YEAR THEREAFTER UNTIL OTHERWISE PROVIDED, AT A RATE OF \$0.387278 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN AS OF JANUARY 1, 2024; DIRECTING THE ASSESSMENT THEREOF TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE TOWN; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING FOR APPROVAL OF THE 2024 TAX ROLLS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

6. Scooter Safety - Presentation and discussion regarding scooter safety and potential solutions the Town can explore.

Mr. Childers provided background information, and Chief Coulon reported incidents involving scooters in Flower Mound. He also pointed out what state law allows in the area of scooter safety, and what could be done by Town legislation, and he responded to questions or comments from Council regarding:

- scooter handling versus bicycles
- interest in coming up with an ordinance to have a helmet law, a limit to one person, speed or age restrictions (no one under 8 years of age) and other elements that would be easily enforceable, as well as interest in having an understanding regarding consequences associated with the violations
- would like to hear from the public to get their input
- would like to get recommendations from the police department
- use of scooters in parking lot
- less regulation - to not discourage outdoor play

L. BOARDS/COMMISSIONS

No discussion.

M. CLOSED MEETING

Mayor Moore announced that the Town Council is convening into a closed meeting at 7:58 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.
2. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Municipal Judge, Alternate Judge, and Associate Judge.
3. 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.
4. 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.
5. 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 9:11 p.m., and no action was taken on the above items.

O. ADJOURN

Mayor Moore adjourned the meeting at 9:11 p.m. and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



CHERYL MOORE, MAYOR

ATTEST:

Theresa Scott

THERESA SCOTT, TOWN SECRETARY