

Town Council Regular Meeting



October 21, 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
Meg Jakubik, Director of Budget Services
Ray Watson, Director of Economic Development
Chuck Jennings, Director of Parks and Recreation

B. INVOCATION

Chaplain Liles gave the invocation.

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND TO THE TEXAS FLAG

Mayor Moore led the pledges.

D. PRESENTATION(S)

1. Arts Month Proclamation

Mayor Moore recited and presented the proclamation to Parks and Recreation staff and Cultural Arts Commission members.

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.	Kristy Anderson, 1815 Chestnut Ct with donated time from Jane Gray, 3300 Druid Way	Creation of a substance use and mental health board.
2.	Greg Crews, 3300 Druid Way	Mental health and substance-use awareness.

F. ANNOUNCEMENTS

Mayor Moore or members of Council had announcements regarding:

- Fantacular campout
- Diwali
- Halloween events
- Voting
- Meals on Wheels fundraiser

G. TOWN MANAGER'S REPORT

1. Capital Improvement Projects
2. Economic Development Projects
3. Organizational Updates

a. Employee Recognition

Mr. Childers and Mayor Moore recognized the following employees for their service milestone Town anniversary:

- Kimberly Cheek, Parks and Recreation
- Captain Kirk Lambert, Fire Department

Mr. Childers also recognized Assistant Chief Wendell Mitchell for his years of service.

4. Arbor Day and Colony Park Tree Planting Project
Mr. Childers announced two Arbor Day projects.

H. FUTURE AGENDA ITEM(S)

There were future agenda requests for the following topics:

- possibility of introducing a microchip scanning station for lost dogs
- Consolvo street improvements due to the street size and access constraints
- committee for public safety and mental health (to coincide with the discussion on the use of funds received from the Opiod settlement)

There was Council consensus to have a discussion on the above topics.

I. COORDINATION OF CALENDARS

Mayor Moore confirmed that all members plan to be in attendance at the following meetings:

1. November 4 - Regular Meeting
2. November 18 - Regular Meeting

J. CONSENT ITEM(S)

ACTION: Chris Drew moved to approve consent items J. 1 - 8 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 10/7 and 10/17 - Consider approval of the minutes from 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 on October 7, 2024; and minutes from a work session of the Town Council on October 17, 2024.
2. Light fixtures - Wilkerson Park - Consider approval of the purchase and installation of new LED light fixtures for the Wilkerson Park, located at 2880 Garden Road - LED Lighting Retrofit project, from Musco Sports Lighting, LLC, through the Texas Local Government Purchasing Cooperative, in the amount of \$203,164.00.
3. Hound Mound Pet Waste Removal - Consider approval of Services Contract 2025-1-A with Scoop Masters to perform pet waste removal services at the Hound Mound at Heritage Park dog park, located at 1202 S. Garden Ridge, with

an estimated annual expenditure of \$11,760.00; and authorization for the Mayor to execute on behalf of the Town.

4. Interlocal Agreement - Library Services (County) - Consider the approval of an Interlocal Cooperation Agreement with Denton County for the provision of library services for the benefit of the citizens of Denton County, and authorize the Mayor to execute the same on behalf of the Town.
5. Purchasing Policy - Consider approval of an ordinance amending the Town's Purchasing Policy to authorize the Town Manager to approve and sign contracts, change orders, and interlocal agreements to a maximum of \$50,000.
ORDINANCE 42-24

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING DIVISION 2, ARTICLE IV, CHAPTER 2, OF THE CODE OF ORDINANCES, TOWN OF FLOWER MOUND, TEXAS, PROVIDING THAT THE AUTHORITY OF THE TOWN MANAGER TO APPROVE CHANGE ORDERS, SIGN ALL CONTRACTS, AND ALL INTERLOCAL AGREEMENTS SHALL BE INCREASED FROM FIFTEEN THOUSAND DOLLARS (\$15,000) TO NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000); PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

6. Alternate Municipal Judges - Consider approval of an ordinance to appoint Alternate Municipal Judges Charles Atkinson, Gilland Chenault, and Ann Poston for the period of October 21, 2024, through October 20, 2026.
ORDINANCE 48-24

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS APPOINTING AN ALTERNATE JUDGE OF THE MUNICIPAL COURT OF RECORD IN THE TOWN OF FLOWER MOUND; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE 47-24

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS APPOINTING AN ALTERNATE JUDGE OF THE MUNICIPAL COURT OF RECORD IN THE TOWN OF FLOWER MOUND; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE 43-24

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS APPOINTING AN ALTERNATE JUDGE OF THE MUNICIPAL COURT OF RECORD IN THE TOWN OF FLOWER MOUND; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

7. 3913 Pocohontas Water Line Easement Abandonment - Consider approval of an ordinance vacating and abandoning of a 10-foot water line easement located

along the west property line of Block A, Lots 13 and 14, of Roanoke Hills Addition Subdivision. The property is generally located south of Cross Timbers Road and west of Bordeaux Way.

ORDINANCE 44-24

AN ORDINANCE VACATING AND ABANDONING A UTILITY EASEMENT PREVIOUSLY GRANTED TO THE TOWN AS RECORDED IN VOLUME 484, PAGE 490, OF THE REAL PROPERTY RECORDS OF DENTON COUNTY, TEXAS; DECLARING THAT SUCH EASEMENT IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED RELEASING AND ASSIGNING THIS EASEMENT TO THE OWNERS OF THE FEE ESTATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

8. Outdoor LED AV System - Consider approval for the purchase of a Max 1710 Outdoor LED screen, trailer and accessories from Insane Impact, LLC, through TIPS Interlocal Purchasing Cooperative in the amount of \$157,035.00.

K. REGULAR ITEM(S)

1. ACSC Presentation - Presentation regarding the Atmos Cities Steering Committee.

Councilmember Werner recused herself for participation on this item.

Ms. Jakubik introduced Thomas Brocato, Principal for Lloyd Gosselink Rochelle & Townsend, P.C., who gave a presentation on the Atmos Cities Steering Committee (ACSC) and the negotiation and rate-setting process and responded to questions from Council regarding:

- history of gas regulation
- the role of cities in the regulatory process
- Atmos Cities Steering Committee (ACSC) purpose, composition, and benefit
- Gas Reliability Infrastructure Program (GRIP)
- Rate Review Mechanism (RRM)
- Atmos Mid Texas base rate comparison
- residential customer cost
- industrial consumer use

and he responded to questions or comments from Council regarding:

- rising utility costs and the possibility of legislative involvement regarding GRIP
- legislative advocacy
- rate comparisons - residential, commercial, and industrial
- negotiation process and cost allocation (higher percentage increase for residential)

- transparency and cost calculations
- disconnect between revenue and investment assumptions for rates

This item was informational only. No Council action was required or taken.

2. Flower Mound Chamber of Commerce annual update - Flower Mound Chamber of Commerce annual update.

Mr. Watson provided background information on the item. Lori Walker, President of the Flower Mound Chamber, gave a presentation identifying or noting:

- chamber mission
- video and proclamation from Governor Abbott
- accreditation
- Flower Mound businesses at a glance, including job creation, community development, tax revenue
- chamber initiatives
- business directory
- goals - leadership and governance, value - business partnerships, growth - stewardship/prosperity

Several members of Council expressed appreciation for the work of the Chamber.

This item was for informational purposes. No action was required or taken.

3. Tax Notes, Series 2024 - Discussion and consideration of all matters incident and related to the issuance and sale of the “Town of Flower Mound, Texas, Tax Notes, Series 2024” in the amount of \$2,500,000.00, including the adoption of an ordinance authorizing the issuance of such tax notes.

Mr. Zagurski provided background information on the item and introduced John Martin, Hilltop Securities, who pointed out the purpose and process associated with tax notes, and he, or Mr. Zagurski responded to questions from Council regarding why it was important for the Town to take on the short-term debt this year.

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

ORDINANCE 46-24

AN ORDINANCE AUTHORIZING THE ISSUANCE OF “TOWN OF FLOWER MOUND, TEXAS, TAX NOTES, SERIES 2024”; SPECIFYING THE TERMS AND FEATURES OF SAID NOTES; LEVYING A CONTINUING DIRECT

ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID NOTES; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID NOTES, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE LETTER; AND PROVIDING AN EFFECTIVE DATE.

4. Light fixtures - Gerault Park - Consider approval of the purchase and installation of new LED light fixtures for the Gerault Park, located at 1116 Gerault Rd - LED Lighting Retrofit project, from Musco Sports Lighting, LLC, through the Texas Local Government Purchasing Cooperative, in the amount of \$1,126,321.00
Mr. Jennings gave a presentation identifying or noting:

- Gerault Park LED retrofit purpose, plan, cost, warranty
- site aerial identifying the fields where the lights will be replaced
- project budget
- project schedule

and he responded to questions from Council regarding:

- cost and manufacturer comparison
- ball-tracking technology
- parking lot lights

ACTION: Brian Taylor moved to approve K.4. as presented in the agenda caption. Janvier Werner seconded the motion.
AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner
NAYS: None
ABSTAIN: None
RESULT: 5 : 0

5. SUP24-0005 - Back Nine Golf, Prairie Plaza Building 4 - Public Hearing to consider an ordinance granting Specific Use Permit No. 494 (SUP24-0005 – Back Nine Golf, Prairie Plaza Building 4) to permit an amusement and recreation (indoors) use. The property is generally located north of Cross Timbers Road and west of Long Prairie Road. (PZ recommended approval by a vote of 6 to 0 at its October 14, 2024, meeting.)

Ms. Murphy gave a presentation identifying or noting

- general and detailed location
- land use and zoning
- SUP site plan
- SUP conditions

and she responded to questions regarding:

- indoor recreation use definition
- hours of operation

Applicant Presentation

Reagan Bluth

Mr. Bluth responded to questions or comments from Council regarding

- alcohol consumption (byob)
- facility layout
- membership structure

Mayor Moore opened the public hearing at 8:08 p.m. No one spoke. Mayor Moore closed the public hearing at 8:08 p.m.

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

ORDINANCE 45-24

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. 494 (SUP-494) FOR AN AMUSEMENT AND RECREATION (INDOORS) USE ON CERTAIN PROPERTY DESCRIBED AS APPROXIMATELY 4.7568 ACRES OF LAND AND BEING A PORTION OF LOT 1, BLOCK A OF THE PRAIRIE PLAZA ADDITION, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 150 (PD-150) WITH O OFFICE DISTRICT 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.

6. FM Creamery LLC Chapter 380 - Public Hearing to consider approval of a Chapter 380 Agreement with FM Creamery LLC for the economic development of Flower Mound, and authorization for the Mayor to execute same on behalf of Town.

Mr. Watson gave a presentation identifying or noting:

- site information
- incentives

- cost-benefit analysis

and he responded to questions or comments from Council regarding:

- intention of impact fee

Mayor Moore opened the public hearing at 8:13 p.m. No one spoke. Mayor Moore closed the public hearing at 8:13 p.m.

ACTION: Ann Martin moved to approve K.6. as presented in the agenda caption. Janvier Werner seconded the motion.
AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner
NAYS: None
ABSTAIN: None
RESULT: 5 : 0

L. BOARDS/COMMISSIONS

1. Discuss and consider appointing members to serve on the Outstanding Citizen Award selection committee.
 Mayor Moore summarized the purpose of the item. Mayor Moore and members of Council nominated the following individuals to serve on the Outstanding Citizen Committee:

Werner: Gayle David
 Schiestel: Beth Soderberg
 Moore: Curney Pruitt
 Martin: Stacey Langley
 Drew: Deborah Fitzpatrick
 Taylor: Scott Morgan (Chair)

M. CLOSED MEETING

Mayor Moore announced that the Town Council is convening into a closed meeting at 8:15 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. Regulation of Public Utilities
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.

ACTION: Chris Drew moved to authorize staff to purchase property at 2311 Aberdeen Drive as a future site for a new fire station no. 3 and to negotiate for the purchase of the property and authorization of the Town Manager or his designer to close on the property and to pay all costs associated with said closing in addition to the purchase price of the property and to execute all necessary documents at closing on behalf of the Town. Adam Schiestel seconded the motion.

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

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

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.
5. Annual evaluation of the Town Manager

ACTION: Ann Martin moved to approve adjustments to the Town Manager's contract per the discussions in closed session. Brian Taylor seconded the motion.

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

NAYS: None

ABSTAIN: None

RESULT: 5 : 0

N. RECONVENE

The Town Council reconvened into an open meeting at 11:39 p.m., to take action on the above items.

O. ADJOURN

Mayor Moore adjourned the meeting at 11:40 p.m. and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



CHERYL MOORE, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY