

Town Council Regular Meeting



November 4, 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
JP Walton, Chief Strategic Officer
Chuck Jennings, Director of Parks and Recreation

B. INVOCATION

Chaplain Plunk 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. Proclamation for the Elm Fork Chapter of the Texas Master Naturalist

- Mayor Moore recited the proclamation and presented it to Kathryn Wells with the Elm Fork Chapter of the Texas Master Naturalist.
2. Certificate of Recognition for Flower Mound High School's Global Challenge International Robotics competition
Mayor Moore presented the certificate of recognition to Harish Pravin, Team Captain, Flower Mound High School Robotics Team for their achievement.
 3. Proclamation for Hindu Heritage Month
Mayor Moore recited the proclamation and presented it to Ashish Puri.

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.	Mike Hennefer, 4265 Harvest Hill, Carrollton	DCAD Board of Directors

** Indicates person did not wish to speak*

F. ANNOUNCEMENTS

1. Announcements from the mayor and council members
There were announcements from Town Council regarding:
 - Flower Mound Citizens Academy
 - Veterans Ceremony
 - Election Day

G. TOWN MANAGER'S REPORT

1. Capital Improvement Projects
2. Economic Development Projects

3. Organizational Updates

4. Town named Scenic City of the year

Mr. Walton provided background information on this award.

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 requests.

I. COORDINATION OF CALENDARS

Mayor Moore confirmed that all members of Council plan to be at the following meetings.

1. November 18 - Regular Meeting

2. November 21 - Work Session

3. December 2 - Regular Meeting

4. December 16 - 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: Ann Martin moved to approve consent items J.1 - 6 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 10/21/24 - Consider approval of the minutes from a regular meeting held on October 21, 2024.

2. Timber Valley Dr. & Fairfield Ln. Reconstruction - Design Award - Consider approval of a Professional Services Agreement with Teague Nall and Perkins, Inc., for the design phase services associated with the Timber Valley Drive and

- Fairfield Lane Reconstruction project, in the amount of \$392,000.00; and authorization for the Mayor to execute the same on behalf of the Town.
3. Traffic Signal Monitoring Software - Consider approval of the purchase of the Traffic Signal Analytics Software, ClearGuide, for Traffic Signal Monitoring in the amount of \$209,800.00, under the BuyBoard Contract from Iteris, Inc., and authorization for the Mayor to execute same on behalf of the Town.
 4. Cityworks Software Maintenance Renewal - Consider the approval of a three-year asset management software maintenance renewal with Cityworks LLC, a Trimble Company, in the amount of \$66,780; and authorization for the Mayor to execute same on behalf of the Town.
 5. Pro Rata Agreement Juniper Street - Consider approval of a Pro-Rata Agreement between Hal Brown and the Town of Flower Mound for the construction of approximately 209 feet of 8-inch sanitary sewer line on the north side of Juniper Street, and associated apparatuses on Juniper Street in the Pecan Acres Addition; consider adopting an ordinance providing for said Pro-Rata Agreement; and authorization for the Mayor to execute same on behalf of the Town.
ORDINANCE NO. 49-24
AN ORDINANCE ESTABLISHING A PRO RATA CONNECTION FEE TO DEVELOPERS OF PROPERTIES LOCATED ALONG JUNIPER STREET WEST OF CEDAR STREET BENEFITTING FROM THE SANITARY SEWER WEST OF THE INTERSECTION OF JUNIPER STREET AND CEDAR STREET; BASING SUCH CHARGE UPON THE FRONT FOOT OF THE PROPERTY TO BE SERVICED BY SUCH SANITARY SEWER IMPROVEMENTS; PROHIBITING THE ISSUANCE OF BUILDING OR OTHER PERMITS WITHOUT PAYMENT OF SUCH CONNECTION FEE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
 6. Public Park Naming Recommendation - Consider approval of naming the 97 acre public park located at 3900 Haynes Road as Samuel G. Tate Athletic Complex at Furst Ranch.

K. REGULAR ITEM(S)

1. Z24-0005 - Sunrise Circle Lot 7, Block 2 - Public Hearing to consider an ordinance amending the zoning (Z24-0005- Sunrise Circle Lot 7, Block 2) from Interim Holding (IH) uses to Single Family District-10 (SF-10) uses. The property is generally located east of Stonecrest Road and south of Sunrise Circle. (PZ recommended approval by a vote of 6 to 0 at its October 28, 2024, meeting.)
Ms. Murphy gave a presentation identifying or noting:
 - general and detailed location
 - land use and zoning
 - plat location

- site photo

Mayor Moore opened the public hearing at 6:34 p.m. No one spoke. Mayor Moore closed the public hearing at 6:34 p.m.

ORDINANCE NO. 50-24

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, "LAND DEVELOPMENT REGULATIONS," OF THE FLOWER MOUND CODE BY ADOPTING SF-10 SINGLE FAMILY DISTRICT-10 ZONING ON APPROXIMATELY 0.4462 ACRES OF LAND BEING ALL OF LOT 7 BLOCK 2 OF THE SUNRISE CIRCLE ESTATES ADDITION IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

ACTION: Ann Martin moved to approve K.1. 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

2. MPA24-0004 - Watermere at Flower Mound Phase II - Public Hearing to consider an ordinance amending the Master Plan (MPA24-0004 – Watermere at Flower Mound Phase II) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Office uses to High Density Residential uses. The property is generally located south of Dixon Lane and west of Whyburn Drive. (PZ recommended approval by a vote of 6 to 0 at its October 28, 2024, meeting.)

Mayor Moore opened items 2 and 3 at the same time.

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- Master plan exhibit
- conceptual site plan
- parking modifications
- development standards
- street buffer and street yard
- site photos
- approved conceptual plan

- conceptual landscape plan, elevations
- Parks Board recommendation
- ZPD caption

and she responded to questions from Council regarding:

- fire lane

Applicant Presentation

Andrew Chapin, 7909 Chapel Wood Dr

Mr. Chapin gave a presentation identifying or noting:

- senior living (classification of Independent Living)
- current state (occupancy)

and he responded to questions from Council regarding:

- wait list

Council Discussion

There was Council discussion regarding:

- product offering
- product demand (senior living)
- appreciation for invite to view the site
- office versus senior housing

Mayor Moore opened the public hearing for items K.2 and K.3 at 6:50 p.m. No one spoke. Mayor Moore closed the public hearing for items K.2 and K.3 at 6:50 p.m.

ORDINANCE NO. 51-24

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE FLOWER MOUND 2001 MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, WHICH ADOPTED THE MASTER PLAN, BY AMENDING SECTION 1.0, "LAND USE PLAN," TO CHANGE THE CURRENT LAND USE DESIGNATION ON THE LAND USE PLAN MAP FROM OFFICE USES TO HIGH DENSITY RESIDENTIAL USES ON CERTAIN PROPERTY DESCRIBED AS 3.38 ACRES OF LAND AND BEING ALL OF LOT 1, BLOCK A OF THE WHYBURN ADDITION, DENTON COUNTY, TEXAS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

ACTION: Ann Martin moved to approve K.2. 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

3. ZPD24-0005 - Watermere at Flower Mound Phase II - Public Hearing to consider an ordinance amending the zoning (ZPD24-0005 – Watermere at Flower Mound Phase II) by replacing Tract 1 of Planned Development District No. 167 (PD-167) with Office District uses with a new Tract 1 of Planned Development District No. 167 (PD-167) with Age-Restricted, High Density Residential uses, with certain modifications to the Code of Ordinances including but not limited to a modification to Section 82-242 “Street buffer landscaping” and a modification to Section 94-62 “Street buffer trees” of the Town’s Code of Ordinances. The property is generally located south of Dixon Lane and west of Whyburn Drive. (PZ recommended approval by a vote of 6 to 0 at its October 28, 2024, meeting.)
ORDINANCE NO. 52-24

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 CHANGING THE ZONING ON CERTAIN PROPERTY DESCRIBED AS 3.38 ACRES OF LAND AND BEING ALL OF LOT 1, BLOCK A OF THE WHYBURN ADDITION, DENTON COUNTY, TEXAS, BY REPLACING TRACT 1 OF PLANNED DEVELOPMENT DISTRICT NO. 167 (PD-167) WITH OFFICE DISTRICT USES WITH A NEW TRACT 1 OF PLANNED DEVELOPMENT DISTRICT NO. 167 (PD-167) WITH AGE-RESTRICTED, HIGH DENSITY RESIDENTIAL USES IN ACCORDANCE WITH THE TOWN’S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; 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.

ACTION: Ann Martin 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

4. 2027 Pierce Aerial Quint Fire Apparatus - Consider approval of the purchase of a 2027 Pierce Customer Enforcer Aerial Quint for Fire and Emergency Services Department from Siddons Martin Emergency Group in the amount of \$1,641,746.00 and authorization for the Mayor to execute same on behalf of the Town.

Chief Henley gave a presentation identifying or noting:

- VERF 6300-34
- vehicle replacement details

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. Property Exchange - Consider a resolution authorizing the sale of approximately 23 acres of Town property located at 10300 Dunham Road in consideration for the transfer of title to an approximately 97-acre parcel of land to the Town at 3900 Haynes Road for future recreational purposes, both properties being located within the Town's Tax Increment Reinvestment Zone No. 2.

Mr. Dalton gave a presentation identifying or noting:

- vicinity map
- cemetery
- deed restrictions
- deed exhibit
- additional consideration

and he, Mr. Jennings, or Ms. Bruce responded to questions from Council regarding:

- Dunham Road changes
- when would the site be available for park events (design-to-construction)

ACTION: Ann Martin moved to approve K.5. as presented in the agenda caption, and to allow the Mayor and Town Manager to be authorized to take all steps necessary to effectuate the land swap. Chris Drew seconded the motion.
AYES: Ann Martin, Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner
NAYS: None
ABSTAIN: None

RESULT: 5 : 0

6. FY 24-25 Strategic Plan - Consider approval of the FY 24-25 Strategic Plan for the Town of Flower Mound.

Mr. Walton gave a presentation identifying or noting:

- Town strategic goals
- core goals, community goals, and foundational goal
- FM strategic plan
- FY 24-25 Objectives

and he responded to questions from Council regarding:

- tree planting
- performance metrics
- training
- task force purpose

Several members of Council expressed appreciation for the work of the staff and the future implementation steps.

ACTION: Ann Martin moved to approve K.6. 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

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.

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 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 7:38 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. 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, 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 9:48 p.m., and no action was taken on the above items.

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

THERESA SCOTT, TOWN SECRETARY