Town Council Regular Meeting

December 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 (remotely; left at 9:15 p.m.)
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
Lynda Bolitho, Director of Human Resources
Ray Watson, Director of Economic Development

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 Moore led the pledges.

D. PUBLIC COMMENT

	Speaker name and address	Subject (as written on the form)
1.	Mark Glover, 140 Red Oak	Bob Rheudasil

E. ANNOUNCEMENTS

There were announcements from Councilmembers regarding:

- appreciation for donation of Bob Rheudasil items from Mark Glover
- well wishes for the holiday season

F. TOWN MANAGER'S REPORT

1. Capital Improvement Projects

2. Economic Development Projects

3. Organizational Updates

   a. Holiday Service Projects
   Mr. Childers outlined various Town holiday activities.

4. Legislative Priorities Update
   Mr. Childers outlined the Town's legislative priorities.

G. FUTURE AGENDA ITEM(S)

A Councilmember asked if Council action was needed regarding Mr. Glover's donation. Ms. Scott responded that staff will work with the Historical Commission per the Town's collection policy.

H. COORDINATION OF CALENDARS

Mayor Moore confirmed that everyone plans to be at the following meetings.

1. January 6 - Regular Meeting

2. January 16 - Work Session

I. CONSENT ITEM(S)

ACTION:	Brian Taylor moved to approve items I. 1 - 11 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 - 12/2 - Consider approval of the minutes from a regular meeting held on December 2, 2024.

2. PSA Water/Wastewater Master Plan Updates and Impact Fee Updates - Consider approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc., for the professional services associated with the Water and Wastewater Master Plan Updates and the Water, Wastewater, and Roadway Impact Fee Updates project, in the amount of $599,200.00; and authorization for the Mayor to execute same on behalf of the Town.

3. Change Order - Colonial Drive - Consider approval of Change Order No. 1 & Final for the construction of the Colonial Drive Reconstruction Phase II (Whitney Lane to Homestead Street) project, amending the contract with Quality Excavation, LLC, to provide for an increase to the contract in the amount of $95,198.21; and authorization for the Mayor to execute same on behalf of the Town.

4. SCADA Upgrade - Consider approval of a Professional Service Agreement with Plummer Associates, Inc., for services to upgrade the Town's Supervisory Control and Data Acquisition (SCADA) system, in the amount of $259,728; and authorization for the Mayor to execute same on behalf of the Town.

5. PSA Flow Monitoring/Analysis_Inflow/Infiltration Project - Consider approval of the Professional Services Agreement with RJN Group, Inc., for Flow Monitoring and Analysis associated with the Inflow and Infiltration project, in the amount of $254,032.00; and authorization for the Mayor to execute same on the behalf of the Town.

6. Antenna Space Lease Agreement - Freeman Water Tower - Consider approval of a lease agreement with Cellco Partnership, a Delaware general partnership d/b/a Verizon Wireless to lease antenna space on the Town elevated water storage tower located at 4400 Freeman Road and ground space for an equipment building for the purpose of installing, operating, and maintaining facilities to provide commercial mobile radio services, and authorization for the Mayor to execute same on behalf of the Town.

7. PSA Cityworks Improvements - Consider approval of a Professional Services Agreement with Burns & McDonnell Engineering Company, Inc., for Work Order System Analysis and Improvement services for the Utility Asset Management project, in the amount of $123,500.00; and authorization for the Mayor to execute same on behalf of the Town.

8. Light Tower Transfer - Consider approval of a Memorandum of Understanding (MOU) to accept the transfer of the Public Works Emergency Response Team

(PWERT) light tower from the City of Rowlett that was awarded to the City as part of the Homeland Security Grant Program; and authorization for the Mayor to execute same on behalf of the Town.

9. Ambulance Addition to Fleet - Consider approval of the purchase of a 2025 Ford F550 Frazer ambulance for the Fire and Emergency Services Department from Sterling McCall Ford through the Houston-Galveston Area Council of Governments Contract (HGAC) #AM10-23 in the amount of $380,000.00 and authorization for the Mayor to execute same on behalf of the Town.

10. Vehicle Purchase - Ford F-250 4x4 SD Crew Cab - Fire Dept. - Consider approval of the purchase of a 2025 Ford F-250 4x4 SD Crew Cab for Fire and Emergency Services Department from Chastang Ford in the amount of $135,725.00 and authorization for the Mayor to execute same on behalf of the Town.

11. Bluebonnet Trail Repairs - Consider approval of the purchase of concrete removal and replacement services from Apex Concrete Construction Inc, for work associated with the Trail Master Plan Implementation - Bluebonnet Trail project, through the Town of Flower Mound contract No. 2021-72-B, Utility Cut Repairs and Park Improvements, in the amount of $118,888.99.

J. REGULAR ITEM(S)

1. Reinsurance Contract (health plan) - Consider approval of a reinsurance contract for the Town's Group Health Plan with Voya Financial for the amount of $2,103,730 and an agreement with Quantify Specialty Care; and authorization for the Mayor to execute the same on behalf of the Town.
Ms. Bolitho introduced Scott Gibbs, McGriff Insurance Services

Mr. McGriff 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
- Quantify specialty care
- recommendations/Next steps

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

- Payer Matrix history
- pharmaceutical limitations
- Blue Cross rates and claims

- Quantify specialty care
- turn around time for drugs
- high cost of drugs
- premiums and exposure
- reinsurance clarification
- financial adjustments

ACTION:	Adam Schiestel moved to approve J.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. TIRZ #2 - Amended and Restated Plan - Public Hearing to consider an ordinance amending and restating the Project and Finance Plan of Tax Increment Reinvestment Zone No. 2 (TIRZ #2).

Mayor Moore announced that the Town Council is convening into a closed meeting at 6:43 p.m., pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074, and 551.087.

Town Council reconvened into an open meeting at 7:14 p.m., and no action was taken as a result of the closed session.

Mary Petty, P3 Works, TIRZ Administrator, gave a presentation for items J.2, and J.3, identifying or noting:

- background information
- map of the public improvements
- project costs to be paid by TIRZ No. 2
- TIRZ No. 2 information (term, acreage, increment (Town & County)
- feasibility study

Mayor Moore opened the public hearing at 7:18 p.m. No speakers. Mayor Moore closed the public hearing at 7:18 p.m.

and she, or Mr. Watson, responded to questions from Council regarding:

- use it or lose it component
- economic development portion (30%)
- county restrictions
- tier 1 and 2 projects
- municipal services eligibility

- purpose of county's participation
- termination components

ORDINANCE NO 59-24
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING AN AMENDED AND RESTATED PROJECT AND FINANCE PLAN FOR REINVESTMENT ZONE NUMBER TWO, TOWN OF FLOWER MOUND, TEXAS; MAKING CERTAIN FINDINGS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

ACTION:	Adam Schiestel moved to approve J.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. TIRZ #2 - Participation Agreement - Consider authorizing the Town Manager to execute a participation agreement with Denton County for Reinvestment Zone No. 2 (TIRZ #2).

4. TIRZ #1 - Amended Participation Agreement - Consider authorizing the Town Manager to execute an amended and restated participation agreement with Denton County in Tax Increment Financing Reinvestment Zone No. 1 (TIRZ #1).

Mary Petty, P3 Works, TIRZ Administrator, gave a presentation, identifying or noting:

- Original project costs
- Additional project costs to be paid by TIRZ No. 1
- TIRZ No. 1 Information
- original feasibility study - extension

and she responded to questions from Council regarding:

- cost of cultural arts center

5. MISC24-0001 - Radionov Lot-to-Lot Drainage Exception - Consider a request for an exception (MISC24-0001 – Radionov Lot-to-Lot Drainage Exception) to the Engineering Design Criteria and Construction Standards adopted through Chapter 32 of the Code of Ordinances in order to allow lot-to-lot drainage. The property is generally located west of Morriss Road and south of Hazy Meadows

Lane. (PZ recommended approval by a vote of 6 to 0 at its December 9, 2024, meeting.)
Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- proposed drainage map
- site photos
- engineering standards
- existing drainage map
- proposed grading plan
- proposed drainage map
- proposed conditions

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

- drainage calculations
- neighbor input
- recourse for neighboring property if drainage is not as planned
- proximity of the structure and property line
- concerns regarding the impact on one of the lots
- previous drainage
- property owner notification

Applicant: Justin Landsdowne, McAdams, and Corry Blount, Grace Homebuilding, responded to questions from Council regarding:

- drainage pattern
- adjacent property owner outreach
- how much water will be pushed onto Morriss

ACTION:	Chris Drew moved to approve J.5. as presented in the agenda caption, with the staff proposed conditions (1. Development of the site, including any impervious surfaces, is restricted to what is noted on the proposed drainage and grading plans, and 2. An amended plat to include a note about the development restrictions listed above must be filed with the county prior to a building permit being issued). Adam Schiestel seconded the motion.
AYES:	Adam Schiestel, Chris Drew, Brian Taylor, Janvier Werner
NAYS:	Ann Martin
ABSTAIN:	None
RESULT:	4 : 1

6. ZPD23-0007 - Cachet Salons & Spa at Lakeside Crossing, Lot 3 - Public Hearing to consider an ordinance for rezoning (ZPD23-0007 – Cachet Salons & Spa at Lakeside Crossing, Lot 3) to amend Planned Development No. 153 (PD-153) with Campus Commercial uses for both residential and non-residential uses by adding new concept plans and elevations for Lot 3, Block A, of the Lakeside Crossing Addition and to modify development standards. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive. (PZ recommended approval by a vote of 6 to 0 at its December 9, 2024, meeting.)

Ms. Murphy gave a presentation identifying or noting:

- general and detailed location
- land use and zoning
- proposed concept plan
- approved shared parking
- exception/modifications
- site photos
- concept plan, concept landscape plan, concept elevations
- caption language

and she responded to questions from Council regarding:

- shared parking concept

Applicant Presentation: Matt Muse, 7 Signature Court, Rockwall, Tx, Cachet Salons & Spa owner and developer, gave a presentation identifying or noting:

- company background
- design elements

and he responded to questions from Council regarding:

- parking
- window material

Mayor Moore opened the public hearing at 8:19 p.m. No one spoke. Mayor Moore closed the public hearing at 8:19 p.m.

ORDINANCE NO. 60-24
AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 25-17, AS AMENDED BY ORDINANCE NOS. 03-18, 22-21, AND 41-23, WHICH ESTABLISHED AND LATER AMENDED PLANNED DEVELOPMENT DISTRICT NO. 153 (PD-153) ON CERTAIN PROPERTY DESCRIBED AS APPROXIMATELY 10.91 ACRES OF LAND AND BEING ALL

OF LOTS 1, 2, 3, 4, 5, 6, 7, AND 8X, BLOCK A, LAKESIDE CROSSING ADDITION, BY MODIFYING DEVELOPMENT STANDARDS, AMENDING THE CONCEPT PLANS AND ELEVATIONS FOR LOT 3, BLOCK A, AND INCLUDING COMPREHENSIVE SIGN PACKAGE FOR LOT 3, BLOCK A OF LAKESIDE CROSSING; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ORDINANCE NO. 25-17, AS AMENDED; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

ACTION:	Brian Taylor moved to approve J.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

7. ZPD24-0004 – Marty B's at Lakeside Crossing, Lot 2 - Public Hearing to consider an ordinance for rezoning (ZPD24-0004 – Marty B's at Lakeside Crossing, Lot 2) to amend Planned Development No. 153 (PD-153) with Campus Commercial uses for both residential and non-residential uses to include new concept plans and elevations for Lot 2, Block A, Lakeside Crossing, to modify development standards, and to request certain exceptions, modifications, and waivers to the Code of Ordinances. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive. (PZ recommended approval by a vote of 5 to 1 at its December 9, 2024, meeting.)

   Ms. Murphy gave a presentation identifying or noting:

   - general and detailed location
   - land use and zoning
   - approved concept plan
   - concept plan
   - modifications
   -
   - comprehensive sign package
   - modifications to PD-153
   - site photos
   - concept plan, concept landscape plan, concept elevations
   - caption language

   and she responded to questions from Council regarding:

   - requirements for the side-facing greenbelt
   - trees
   - drive-thru queuing and parking data

Jacob Birmelin, Realty Capital Management, or Marty Bryan, Bartonville, gave a presentation identifying or noting:

- aerial photo of site
- architectural consistency
- PD-required improvements
- estimated tax generation

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

- past promises regarding the use of the greenbelt
- drive-thru lanes
- walkability concerns
- willingness to integrate more with the outdoor space
- hours of operation

Mayor Moore opened the public hearing at 9:09 p.m. No one spoke. Mayor Moore closed the public hearing at 9:09 p.m.

ORDINANCE NO. 61-24
AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 25-17, AS AMENDED BY ORDINANCE NOS. 03-18, 22-21, AND 41-23, WHICH ESTABLISHED AND LATER AMENDED PLANNED DEVELOPMENT DISTRICT NO. 153 (PD-153) ON CERTAIN PROPERTY DESCRIBED AS APPROXIMATELY 10.91 ACRES OF LAND AND BEING ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, AND 8X, BLOCK A, LAKESIDE CROSSING ADDITION, BY MODIFYING DEVELOPMENT STANDARDS, AMENDING THE CONCEPT PLANS AND ELEVATIONS FOR BUILDING NO. 2, AND INCLUDING COMPREHENSIVE SIGN PACKAGE FOR BUILDING NO. 2 OF LAKESIDE CROSSING; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ORDINANCE NO. 25-17, AS AMENDED; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

ACTION:	Ann Martin moved to approve J.7. as presented in the agenda caption. Chris Drew seconded the motion.
AYES:	Ann Martin, Chris Drew, Brian Taylor
NAYS:	Adam Schiestel, Janvier Werner
ABSTAIN:	None
RESULT:	3 : 2

K. BOARDS/COMMISSIONS

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Animal Services Board, Blue Ribbon Bond Committee, 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. Present and discuss the Blue Ribbon Bond Committee's recommendation of proposed capital improvements for the May 2025 election.

   Mr. Childers provided background information.

   Mr. Zagurski and Sandeep Sharma, Blue Ribbon Bond Committee Chair, gave a presentation identifying or noting:

   - the process
   - orientation phase
   - project selection
   - public engagement
   - reach (who showed up)
   - deliberation (presentation of results, presentation of preliminary recommendation, revisions and final vote, education on next steps)
   - committee recommendation: Proposition A - parks, trails & recreation ($82 million); Proposition B - street reconstruction funding ($30 million)
   - survey summary

   and they responded to questions or comments regarding:

   - westside library kiosk/extension
   - what do the park renovations entail
   - importance of connectivity or linking in the trail system

L. CLOSED MEETING

At 9:42 p.m., Mayor Moore announced that the Town Council is convening into a closed meeting 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. TIRZ #1 and TIRZ #2 Participation Agreements

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.

M. RECONVENE

The Town Council reconvened into an open meeting at 10:04 p.m., and no action was taken on the above items.

N. ADJOURN

Mayor Moore adjourned the meeting at 10:05 p.m. and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

CHERYL MOORE, MAYOR

ATTEST:

Theresa Scott

THERESA SCOTT, TOWN SECRETARY