

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 6TH DAY OF MARCH 2017, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.

Meeting Video Link: <http://flowermoundtx.swagit.com/play/03062017-1232> (subject to change)

The Town Council met in a regular meeting with the following members present:

Tom Hayden	Mayor
Kevin Bryant	Mayor Pro Tem
Bryan Webb	Deputy Mayor Pro Tem (left at 8:15 p.m.)
Jason Webb	Councilmember Place 1
Don McDaniel	Councilmember Place 4
Itamar Gelbman	Councilmember Place 5

constituting a quorum with the following members of the Town Staff participating:

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
Jimmy Stathatos	Town Manager
Debra Wallace	Deputy Town Manager/CFO
Tommy Dalton	Assistant Town Manager
Doug Powell	Executive Director of Development Services
Ken Parr	Executive Director of Public Works
Chuck Jennings	Director of Parks and Recreation
Kari Biddix	Park Development Manager
Alora Wachholz	Interim Director of Economic Development

A. CALL REGULAR MEETING TO ORDER

Mayor Hayden called the regular meeting to order at 6:00 p.m.

B./C. INVOCATION/PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG

Chaplain Richard Plunk gave the invocation and Mayor Hayden led the pledges.

D. PRESENTATIONS

1. Recognition of the Flower Mound Citizen's Public Safety Patrol 10-year anniversary

Police Chief Andy Kancel presented members of the Flower Mound Citizen's Public Safety Patrol with a plaque for their 10-year anniversary. He also highlighted some of their accomplishments, including service hours.

E. PUBLIC PARTICIPATION

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 names and address	Subject (as written on the form)
1.	Paul Stone, 709 Lake Bluff Dr	Summit Club
2.	Kathy O'Keefe, 3004 Oxford Ct	Drug overdose awareness

F. ANNOUNCEMENTS

Councilmember B. Webb reported on the success of the Summit Club's Western Saloon Night this past Saturday.

Mayor Pro Tem Bryant gave the following announcements:

- recognized Flower Mound Citizen's Academy members in the audience
- reported on the Denton County Days event recently held in Austin, in which some members of Council attended, and the importance of meeting with state legislators to address issues that are important to the Town

Councilmember McDaniel encouraged residents to participate in the Town's on line survey because it's a great tool for elected officials and staff to understand the needs of the community

Councilmember J. Webb announced that there will be a candidate forum at Klo Ami synagogue on March 7th at 7:30 p.m.

Mayor Hayden provided clarification regarding some misunderstandings relative to financial standings or investigation allegations involving the River Walk developer Centurion American. He announced there will be an open house sometime near the end of April that will be open to the public and that would be a good time to get questions answered.

G. TOWN MANAGER'S REPORT

Mr. Stathatos gave an update on the following items:

1. Capital improvement projects:
 - Plans are 95% complete for an east bound dedicated right turn lane at intersection of 1171 and 2499
 - McKamy Creek Road update
 - Heritage Park Phase III will break ground this June
2. Economic Development projects.
 - NCTC job fair announcement
 - Mio Nonno restaurant in Lakeside received their CO in February
 - Order Talk business recognition
 - Introduced Andrea Roy as the Town's new economic development director

3. New town hall and library expansion.
 - Pointed out key dates
 - And for the Library staff is working on a funding plan
4. Discussion regarding sidewalk/street lighting improvements
 - Staff is looking into cost associated with putting in lights at strategic locations as identified by Council recently

H. FUTURE AGENDA ITEMS

1. There were no items requested for future agenda items.

I. COORDINATION OF CALENDARS

Mayor Hayden announced that the next Town Council meeting is a scheduled for Monday, March 20, 2017.

J. CONSENT ITEMS

1. Consider approval of the minutes from a Joint Town Council/Environmental Conservation Commission work session held on February 16, 2017.

RECOMMENDATION: Move to approve the minutes from a Joint Town Council/Environmental Conservation Commission work session held on February 16, 2017.

2. Consider approval of the minutes from a regular meeting of the Town Council held on February 20, 2017.

RECOMMENDATION: Move to approve the minutes from a regular meeting of the Town Council held on February 20, 2017.

3. Consider approval of the purchase of one (1) Case CZ130D STD DZB Excavator for the Public Works – Stormwater: Drainage & ROW Department from Associated Supply Company, Inc in the amount of \$128,455.20.

RECOMMENDATION: Move to approve the purchase of one (1) Case CZ130D STD DZB Excavator for the Public Works – Stormwater: Drainage & ROW Department from Associated Supply Company, Inc in the amount of \$128,455.20.

Mayor Pro Tem Bryant moved to approve by consent Items 1 – 3. Councilmember McDaniel seconded the motion. Each item, as approved by consent, is restated above along with the approved recommendation, and if applicable, the Ordinance or Resolution caption for each, for the record.

VOTE ON MOTION:

AYES: J. WEBB, MCDANIEL, BRYANT, B. WEBB, GELBMAN

NAYS: NONE

Motion passed

Administrative Note: the following items were not heard in the order as presented in the agenda.

K. REGULAR ITEMS

4. Public Hearing to consider approval of a Chapter 380 Agreement between the Town of Flower Mound and Haag Engineering Co.

Staff Presentation

Ms. Wachholz gave a presentation identifying or noting:

- Company background information
- What is planned for the site
- Site location
- Project details
- Existing building
- What the 380 Agreement provides

Applicant Presentation

Justin Kestner, Haag Engineering Co.

Mr. Kestner responded to questions from Council as follows:

- How long is the lease

There was Council discussion relative to the direct impact (job creation) and indirect impact (support of the Lakeside Business District).

Mayor Hayden opened the Public Hearing at 10:16 p.m. No one spoke in support or opposition. Mayor Hayden closed the public hearing at 10:17 p.m.

Mayor Pro Tem Bryant moved to approve a Chapter 380 Agreement between the Town of Flower Mound and Haag Engineering Co., and authorize the Mayor to execute same on behalf of the Town. Councilmember Gelbman seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: J. WEBB, MCDANIEL, BRYANT, GELBMAN

NAYS: NONE

ABSENT: B. WEBB

5. Public Hearing to consider a request to amend the Master Plan (MPA16-0008 - Parks and Trails Plan) by removing and replacing Section 5.0, "Parks and Trails Plan," and adopting the 2017 Parks and Recreation Master Plan Update, and to consider adopting an ordinance providing for said amendments. (The Parks Board recommended approval of the proposed master plan update by a vote of 7-0 at its

February 2, 2017, meeting. The Planning and Zoning Commission recommended approval of the proposed master plan update by a vote of 6-0, at its February 13, 2017, meeting.)

Staff Presentation

Mr. Jennings provided background information about the Parks Master Plan.

Mike Svetz, Pros Consulting, Senior Project Manager

Mr. Svetz gave a presentation identifying or noting:

- Park typology
- Service level standards
- Equity mapping
- Priority rankings
- Capital improvements
- CAC expansion
- Strategic approach
- Indicated there will be a discussion about a community versus neighborhood park for the 10 acres in Canyon Falls, and how in that part of the community it is the only park. He noted that as that population starts to increase the service area will get smaller. If no other parks are developed on the west end there will be too much pressure on Canyon Falls going forward and therefore it will become overused and not provide the experiences as intended.

Mr. Svetz responded to questions from Council as follows:

- Who is making the recommendations for the service levels and how were the figures calculated
- Are there any parks in the Argyle area that would fall under the category of community parks
- What are the plans for the Dunham Park area, and why was that park excluded from the master plan

Mr. Jennings, Mr. Sims, or Mr. Meredith responded to questions from Council as follows:

- Whether or not the verbiage stating Canyon Falls as a Community Park remains if the Parks Master Plan gets approved
- If reestablishment of mile markers along the trails is in the works or planned for the future
- If the majority of residents don't want Canyon Falls to be a community park, what would the Town be giving up, and what future opportunities exist to incorporate those amenities for the residents that do want a community park
- Does Canyon Falls have a current designation in the Parks Master Plan
- Does this item, if approved, designate Canyon Falls as a Community Park
- As the park plan was developed, and as Canyon Falls was coming to fruition, did this park remain in the same location as the initial plan, and if so, is it the same size

- When the park was reduced from 14 to 10 acres was there a change to the designation
- Are there amenities that would never come to the park if it gets labeled a community park
- What is legally required if there is interest in changing the designation from a community to neighborhood park

There was Council discussion as follows:

- There needs to be a focus on having community parks, especially because of the cost of land
- Interest in a multi-faceted sports facility that would include cricket, and potentially out west near Dunham Rd
- How residents want Canyon Falls Park to be more of a natural park with walking trails, etc. and not necessarily to include the amenities that a community park would bring
- Instead of expanding the CAC at the current location, consider a hybrid of the two plans, with one being a partial expansion of the CAC (to address the most critical needs such as larger fitness classes) and then build a second facility
- Appreciation for the hard work done by Pros in bringing the plan forward

Mayor Hayden opened the Public Hearing at 8:38 p.m.

The following individuals either spoke in support or opposition, or had questions / comments related to the item: *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.*

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
Nageshwara Kunamneni **, 2113 Woodview Dr		David Rhodes, 10917 Autumn Leaf Ct*
Rajan Dwivedi **, 2821 Millington Dr, Highland Village		David Barnhisel *, 6335 Willow Ridge
Veera Ramkumar **, 3916 Kimberly Dr		Mark Harris *, 10909 Autumn Leaf Ct
Mercees Palmberg, 2124 Longfellow Ln		Gregory Catrett *, 10816 Pedernales Falls Dr
		Barbara Catrett *, 10816 Pedernales Falls Dr
		William Piper *, 10908 Smoky Oak Trail
		James McClure *, 10824 Pedernales Falls Dr
		Sean Thomas *, 10805 Pedernales Falls Dr
		Frank Brandt *, 6301 Willow Ridge Trl

*requested that Canyon Falls be designated a neighborhood park and not a community park

**interest in cricket fields

Mayor Hayden closed the Public Hearing at 9:05 p.m.

Councilmember Jason Webb moved to amend the Master Plan (MPA16-0008 - Parks and Trails Plan) by removing and replacing Section 5.0, "Parks and Trails Plan," and adopting the 2017 Parks and Recreation Master Plan Update and to adopt an ordinance providing for said amendments, including the change of the Canyon Falls Park from a community to a neighborhood park designation. Mayor Pro Tem Bryant seconded the motion.

ORDINANCE NO. 06-17

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE FLOWER MOUND 2001 MASTER PLAN BY AMENDING ORDINANCE NO. 24-01 IN PART, WHICH ADOPTED THE MASTER PLAN, BY REMOVING AND REPLACING SECTION 5.0, "PARKS AND TRAILS PLAN," A COMPONENT TO THE MASTER PLAN; ADOPTING THE 2017 PARKS AND RECREATION MASTER PLAN UPDATE AS A COMPONENT OF THE MASTER PLAN; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

AYES: J. WEBB, MCDANIEL, BRYANT, GELBMAN

NAYS: NONE

ABSENT: B. WEBB

6. Public Hearing to consider approval of a Master Plan for the public park located in the Canyon Falls development.

Staff Presentation

Kari Biddix, Park Development Manager

Ms. Biddix gave a presentation identifying or noting:

- Background information

Fred Walters, MESA Design Group, Consultant for the Town

Mr. Walters gave a presentation identifying or noting:

- Existing parks located in Town analysis
- Canyon Falls Park contextual map
- Analysis maps
- Proposed program for Canyon Falls public park

Mr. Walters, Ms. Wallace, Mr. Jennings, or Mr. Parr responded to questions from Council as follows:

- Funding source and whether or not the park was budgeted

- Does the designation of a neighborhood park inhibit the ability to bring in more amenities
- Clarification relative to mowing some sections of the park
- How many trees will need to be removed
- Concerns regarding drainage and water pressure concerns
- Options as it relates to concrete versus natural trails (i.e. soft surface trails)
- What next steps would be if there is no interest in all of the amenities as presented
- Process to bring in additional amenities

Mayor Hayden opened the Public Hearing at 9:33 p.m.

The following individuals either spoke in support or opposition, or had questions / comments related to the item: *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.*

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only*
		David Rhodes, 10917 Autumn Leaf Ct
		James McClure, 10824 Pedernales Falls Dr
		Sean Thomas, 10805 Pedernales Falls Dr
		David Barnhisel, 6335 Willow Ridge
		Mark Harris, 10909 Autumn Leaf Ct
		Gregory Catrett, 10816 Pedernales Falls Dr
		Barbara Catrett, 10816 Pedernales Falls Dr
		Greg Koontz, 10905 Autumn Leaf Ct
		Carina Rodriguez-Nejted, 10900 Autumn Leaf Ct

**As requested by Mayor Hayden, speakers provided feedback on specific amenities they would like to see in Canyon Falls based on what was being proposed for the park.*

Mayor Hayden closed the Public Hearing at 9:56 p.m.

There was Council discussion as follows:

- Topography of the park and interest in saving as many trees as possible
- If it's under parked people will park in the cul-de-sacs and that will cause a greater concern, recognizing that the number of parking spaces is not a draw to the park
- Summary of amenities that would be desired by those who spoke during the public hearing
- Clarification that Council is voting on the concept plan - the specifics related to design and funding would come later
- Direction to staff to keep the comments made at the public hearing in mind when designing the park
- How the design presented this evening is an example about how staff and community work together

Mayor Pro Tem Bryant moved to approve a Master Plan for the public park located in the Canyon Falls development. Councilmember McDaniel seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: GELBMAN, BRYANT, MCDANIEL, J. WEBB

NAYS: NONE

ABSENT: B. WEBB

7. Public Hearing to consider a request for a Master Plan Amendment (MPA17-0005 - Senior Housing Provisions) to amend Section 1, Land Use Plan, by adding provisions related to high quality retirement or active residential facilities designed for persons 55 years of age or older, and to consider adopting an ordinance providing for said amendment. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its February 27, 2017, meeting.)

Staff Presentation

Mr. Dalton gave a presentation identifying or noting:

- Background/history, proposal options, draft language, and the steps involved.

Mayor Hayden opened the Public Hearing at 6:40 p.m.

The following individuals either spoke in support or opposition, or had questions / comments related to the item: *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.*

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
	Dan Jacobs, 5913 Lavon Dr	Paul Stone, 709 Lake Bluff
	Jim Engel, 5110 Bayberry St	
	Cathy Strathmann, 2612 Belmont Ct	
	Kristie Callis, 5813 Lavon Dr	
	Richard Warrell, 5817 Lavon Dr	

Mayor Hayden closed the Public Hearing at 7:01 p.m.

There was Council discussion or comments as follows:

- Deed restrictions – whether it should be 50 or 55 + years of age
- Option of sunset provision language
- Clarification relative to notification requirements as it relates to Town projects
- Expanding the overlay area beyond what was presented given there is available land beyond those boundaries, and more specifically expanding it to 2,500 feet either side of 2499; however, excluding the Lakeside District
- No federal funding involved
- Clarification that the item encourages senior housing, and not affordable housing
- Clarification that the areas outlined were selected due to the proximity of amenities and services for seniors
- Whether or not the overlay accomplishes the goal
- How many people are in favor of senior housing but every time something comes forward people say they are for it, but just not “this”
- How the topic of senior housing has been discussed for 10+ years

- How the overlay is basically a type of entitlement
- Land is being sold and used for other things, and the longer the wait the chances of getting a senior product in Town is minimized, so the time is now
- How the overlay takes the barrier away because it opens an opportunity to bring a product that is needed
- Past history related to two senior projects that recently came forward to Council and neither of them got approval to go forward, so it doesn't mean that just because there is a proposal it will get approved
- Disagreement that the overlay will do anything to bring in affordable senior housing
- Impact of simple versus super majority vote change as it relates to the overlay
- How senior living communities improves the quality of life for seniors and helps them live longer
- Zoning questions get answered when there is a zoning application
- Next steps involve clarifying the area (if at all), and how many years should the sunset provision be
- only purpose of overlay is to direct the development into a targeted area & otherwise serves no purpose
- Whether the overlay should be expanded (entire 2499 corridor)
- Whether or not the same message can be sent with a Resolution instead of an overlay
- Possibly postponing the item for future discussion
- Property owners that might have interest in selling their property for this use

Mr. Dalton or Mr. Meredith responded to questions from Council as follows, with some questions or comments as a result of the public hearing:

- How much is the whole package worth for a developer when you consider the fees and waivers
- Clarification relative to park dedication fees
- Clarification as to what happens in the event a senior housing project comes forward outside or in a portion of the overlay area
- Clarification of the Long Prairie District
- Clarification of the P & Z recommendation

Deputy Mayor Pro Tem Bryan Webb moved to approve a request for a Master Plan Amendment (MPA17-0005 – Senior Housing Provisions) to amend Section 1, Land Use Plan, by adding provisions related to high quality retirement or active residential facilities designed for persons 55 years of age or older, and for this area to be inclusive of the areas commonly known as the Long Prairie District and North of the Lakeside Business District (but excluding the Lakeside Business District), and also to include a three (3) year sunset provision after passage, and to expand the boundary to 2,500 feet on either side of FM 2499, adopt an ordinance providing for said amendment. Councilmember Jason Webb seconded the motion.

ORDINANCE NO. 07-17

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 1.0, LAND USE PLAN, OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, TO ADD PROVISIONS RELATED TO "SENIOR HOUSING" IN ACCORDANCE WITH SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; 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.

VOTE ON MOTION:

Motion passed

AYES: B. WEBB, BRYANT, MCDANIEL, J. WEBB

NAYS: GELBMAN

L. BOARDS/COMMISSIONS (Executive Conference Room)

Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Animal Services Board, Cultural Arts Commission, Environmental Conservation Commission, **Parks Board**, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), and Transportation Commission.

No action taken.

M./N. CLOSED/OPEN MEETING

The Town Council did not convene into a closed meeting and therefore no action was taken.

O. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 10:18 p.m. on Monday, March 6 2017, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

THOMAS E. HAYDEN, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY

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