

**THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 6<sup>TH</sup> DAY OF JUNE 2022, 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.**

[Click here](#) for meeting video link (subject to change)

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

Derek France	Mayor
Sandeep Sharma	Mayor Pro Tem
Ann Martin	Deputy Mayor Pro Tem
Adam Schiestel	Councilmember Place 1
Brian Taylor	Councilmember Place 3
Jim Engel	Councilmember Place 4

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

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
James W. Childers	Town Manager
Tommy Dalton	Assistant Town Manager
Tiffany Bruce	Assistant Town Manager/Town Engineer
Lexin Murphy	Director of Planning Services
Matt Hotelling	Senior Engineering Transportation Manager
Melody Eby	Economic Development Specialist
Brian Waltenburg	Assistant Director of Engineering

**A. CALL MEETING TO ORDER**

Mayor France 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**

Mayor France gave the invocation and led the pledges.

**D. PRESENTATIONS**

1. Certificate of Achievement presented to Tvisha Modi for Team USA - Badminton  
Mayor France presented this certificate to Tvisha Modi for this achievement.
2. Our Daily Bread – Denton information and programs  
Alicia Barker, Development Director, Our Daily Bread, gave a presentation outlining their services.
3. Transportation Commission update  
Chris Reed, Transportation Chair, gave a presentation identifying or noting:
  - Vision and mission statement
  - Accomplishments
  - 2022 work topics

**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.*

	<b>Speaker names and address</b>	<b>Subject (as written on the form)</b>
1.	Ronnie Jones, 1501 Old Oak Trail	All Together Flower Mound
2.	Jody Roach, 4975 Lusk Ln	All Together Flower Mound
3.	Jeff Younger 1212 Blairwood Dr	All Together Flower Mound
4.	Troy Anderson, 4104 Shelby Ct	All Together Flower Mound
5.	Fred Vincent, 3933 Bordeaux Cir with donated time from: Mary Regan, 3128 Mission Ridge Dr Marie Brown, 6709 Canyon Oak Ct	Environmental

**F. ANNOUNCEMENTS**

Councilmember Martin congratulated Kim Olsen for taking the photo that will be used on the Town's annual report.

Councilmember Engel reported on the Fire Department pinning ceremony he attended. He also announced that the Police Department is soon to start their Junior Citizen Police Academy.

Mayor France announced that the Flower Mound High School girls track and field team won a state championship.

**G. TOWN MANAGER'S REPORT**

Mr. Childers provided background information on the following items:

1. Capital Improvement projects  
No discussion.
2. Morriss Rd speed limit

Mr. Hotelling gave a presentation identifying or noting:

- History of speed limit change

and he responded to questions or comments from Council regarding:

- Public safety

There was Council discussion regarding:

- Interest in keeping the speed limit the same but take advantage of adaptive signaling
- If the speed limit will remain 35 mph additional enforcement might be needed because drivers are exceeding the current 35 mph
- People are already speeding at 35 mph and if it was higher it would even be more of a problem

- How the public that attended the Transportation Commission meeting were in favor of keeping at the speed limit at 35 mph
3. Economic Development projects  
No discussion.
  4. Organizational updates  
No discussion.
  5. Flower Mound Junior Leadership Program  
Ms. Eby gave a presentation identifying or noting:
    - Program description
    - Status updateand she responded to questions from Council regarding:
    - Whether other area schools will be involved

#### **H. FUTURE AGENDA ITEMS**

1. Mayor France indicated he would like Council to consider a review of Resolution No. 18-21 (All Together Flower Mound), and more specifically as it relates to transparency and associated procedures, including modifying language that stipulates they comply with the Open Meetings Act.

Some members of Council provided a statement of fact noting that it was always Council's intention to review the board after some time has passed, since it was a new board.

Ms. Scott clarified that there will be an opportunity to provide feedback regarding the scope of work, etc. at the June 20 meeting, since it's already slated to be an agenda item.

2. Mayor France indicated he would like Council to review and consider a presentation for GoZone On-Demand transportation services.

There was Council consensus to hear the presentation.

#### **I. COORDINATION OF CALENDARS**

1. The Strategic Planning Session is scheduled for Thursday, June 16, 4:00 p.m.
2. A regular meeting is scheduled for Monday, June 20.

Mayor France announced the above referenced meeting dates and inquired if all members of Council will be available to attend. Councilmember Taylor indicated he will not be at the June 16<sup>th</sup> meeting.

#### **J. CONSENT ITEMS**

1. Consider approval of the minutes from a regular meeting of the Town Council held on May 17, 2022.
2. Consider approval of the minutes from a special work session of the Town Council held on May 25, 2022.

3. Consider approval of the engagement letter with Eide Bailly, L.L.P., to perform external auditing services for the fiscal year ending September 30, 2022; and authorization for the Mayor to execute same on behalf of the Town.
4. Consider approval of a Professional Services Agreement with Tom Davis to provide Housing Rehabilitation Specialist services, and authorization for the Mayor to execute same on behalf of the Town.
5. Consider approval of a resolution suspending the June 17, 2022, effective date of Oncor Electric Delivery Company's requested rate increase in order for the Town to study the request with other cities in the service area.

**RESOLUTION NO. 06-22**

**RESOLUTION OF THE TOWN OF FLOWER MOUND SUSPENDING THE JUNE 17, 2022 EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE.**

6. Consider approval of an ordinance for a street name change for Bridgewater Avenue (200 - 300 block) to McConathy Way (200 - 300 block) (The Transportation Commission recommended to change the street name by a vote of 6 to 0 at its May 10, 2022, meeting)

**ORDINANCE NO. 28-22**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AUTHORIZING A STREET NAME CHANGE FOR THE ROADWAY KNOWN AS "BRIDGEWATER AVENUE" TO "McCONATHY WAY;" AMENDING EXHIBIT A "LIST OF ENUMERATED STREETS" OF ARTICLE V "SPEED LIMITS" OF THE FLOWER MOUND CODE TO REMOVE BRIDGEWATER AVENUE AND ADD McCONATHY WAY WITH A PRIMA FACIE SPEED OF 25 MILES PER HOUR; AUTHORIZING NECESSARY ACTIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

7. Consider approval of an ordinance for a street name change for a section of roadway known as Boat Ramp on the eastern end of Lake Ridge Road to Lake Ridge Drive. (The Transportation Commission recommended to change the street name by a vote of 6 to 0 at its March 8, 2022, meeting)

**ORDINANCE NO. 29-22**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AUTHORIZING A STREET NAME CHANGE FOR THE ROADWAY KNOWN AS "BOAT RAMP" ON THE SOUTHEASTERN END OF LAKE RIDGE ROAD TO "LAKE RIDGE DRIVE;" AUTHORIZING NECESSARY ACTIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

8. Consider approval of a Professional Services Agreement for the 2021 Water and Wastewater Model update project, with Kimley-Horn, for \$25,400; and authorization for the Mayor to execute same on behalf of the Town.
9. Consider approval of a Construction Agreement with GeoSurfaces, Inc. for the purchase and installation of artificial turf on the infield of field #11 at Bakersfield Park, through The Interlocal Purchasing System (TIPS), in the amount of \$169,070.00; and authorize for the Mayor to execute same on behalf of the Town
10. Consider approval of Amendment No. 5 to the Fiscal Year 2021-2022 Capital Improvement Program.
11. Consider approval of the purchase and installation of the 2021-22 Playground Replacements project, for Peacock Park Playground, from Childs Play, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$243,189.00.

Mayor Pro Tem Sharma moved to approve by consent Items 1 – 11, as presented in the agenda caption. Deputy Mayor Pro Tem Martin seconded the motion. Each item, as approved by consent, is restated above, and if applicable, the Ordinance or Resolution caption for each, for the record.

**VOTE ON MOTION:**

*Motion passed*

**AYES: TAYLOR, SCHIESTEL, ENGEL, MARTIN, SHARMA**

**NAYS: NONE**

**K. REGULAR ITEMS**

12. Public Hearing to consider an ordinance granting Specific Use Permit No. 472 (SUP21-0005 – Bosco Boat Dealership) to permit inclusion of Retail, general (outdoors) use for a boat dealership within an existing car dealership facility. The property is generally located south of Justin Road and east of Stone Hill Farms Parkway. (P&Z recommended approval with conditions by a vote of 6 to 0 at its December 13, 2021, meeting.) (On February 7, 2022, Town Council postponed this item to the March 21, 2022, meeting by a vote of 5 to 0 at the Applicant's request). (On March 21, 2022, Town Council postponed this item to the June 6, 2022, meeting by a vote of 5 to 0 at the Applicant's request).

**ORDINANCE NO. 30-22**

**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 OF THE TOWN OF FLOWER MOUND, TEXAS, BY APPROVING SPECIFIC USE PERMIT NO. 472 (SUP-472) TO PERMIT A RETAIL, GENERAL (OUTDOORS) USE FOR A BOAT DEALERHIP USE TO OPERATE WITHIN AN EXISTING CAR DEALERSHIP FACILITY ON CERTAIN PROPERTY DESCRIBED AS 5.48 ACRES OF LAND AND BEING ALL OF LOT 2R1, BLOCK A, OF THE STONE HILL FARMS RETAIL EAST II ADDITION AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 43 (PD-43) WITH COMMERCIAL DISTRICT-2 (C-2) USES; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**Staff Presentation**

Ms. Murphy gave a presentation identifying or noting:

- Background information
- General and detailed location
- Land use and zoning
- Concept plan
- Approved landscape plan
- Approved elevations
- Site photos
- SUP Conditions

and she responded to questions or comments from Council regarding:

- Clarification regarding
  - the 3 year automatic renewal
  - auto and boat sales
- Existing operations and code compliance
- Current hours of operation
- If restrictions run with the property

**Applicant Presentation**

Paul Bosco

Mr. Bosco responded to questions or comments from Council regarding:

- Current hours and days of week open
- Gate access and Fire Department needs
- Storage aspects (650 sf limitation)
- Automatic renewal
- Responsiveness to the Town

Mayor France opened the Public Hearing at 7:26 p.m. No one spoke. Mayor France closed the Public Hearing at 7:26 p.m.

There was Council discussion regarding:

- SUP conditions language
- Concept plan, including parking
- Hours of operation

Councilmember Schiestel moved to approve SUP 472 with the changes requested by the applicant, except item number 1, hours of operation is removed, and item number 5, automatic renewal is retained. Mayor Pro Tem Sharma seconded the motion.

**VOTE ON MOTION:**

**AYES: SHARMA, MARTIN, ENGEL, SCHIESTEL, TAYLOR**

**NAYS: NONE**

*Motion passed*

13. Consider approval of a Construction Agreement with Fort Worth Civil Constructors, LLC for the Oak Street Lift Station and Force Main Phase IV project, in the amount of \$5,465,406.00; and authorization for the Mayor to execute same on behalf of the Town.

**Staff Presentation**

Mr. Waltenburg gave a presentation identifying or noting:

- Background information
- Lift station drainage basin
- 2020 wastewater master plan
- Verified bid results
- Project budget, including funding sources
- Project schedule

and he responded to questions or comments from Council regarding:

- Cost increase
- Vendor qualifications

Councilmember Engel moved to approve as presented. Councilmember Taylor seconded the motion.

**VOTE ON MOTION:**

*Motion passed*

**AYES: TAYLOR, SCHIESTEL, ENGEL, MARTIN, SHARMA**

**NAYS: NONE**

**L. BOARDS/COMMISSIONS**

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

Mayor France noted that Deputy Mayor Pro Tem Ann Martin has expressed interest in serving as the municipal representative on the Animal Services Board.

For the Animal Services Board, Councilmember Taylor moved to appoint Ann Martin, Deputy Mayor Pro Tem, effective immediately and with a term expiration date of September 30, 2023. Mayor Pro Tem Sharma seconded the motion.

**VOTE ON MOTION:**

*Motion passed*

**AYES: SHARMA, MARTIN, ENGEL, SCHIESTEL, TAYLOR**

**NAYS: NONE**

Mayor France announced that the Tax Increment Reinvestment Zone will need to meet prior to their usual December meeting. He sought Council's interest in filling the vacated seat for the purpose of having a full board.

There was Council consensus to have a full board represented at a future TIRZ meeting, and for the Town Secretary to provide a list of current applicants that indicated interest in serving on this board for Council consideration at the next meeting.

**M./N. CLOSED/OPEN MEETING**

The Town Council convened into a closed meeting at 7:47 p.m. on June 6, 2022, 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 attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, and reconvened into an open meeting at 9:10 p.m. on June 6, 2022, and no action was taken on the following items:

- a. Consultation with Attorney.
  1. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Application
  2. Rockledge Park
  3. Housing Discrimination Complaint
- b. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights-of-way, and/or other municipal purposes and all matters incident and related thereto.
- c. Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.
- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, performance related to certain incentive agreements, and proposed Tax Increment Reinvestment Zone (TIRZ).

**O. ADJOURN REGULAR MEETING**

Mayor France adjourned the meeting at 9:10 p.m. on Monday, June 6, 2022, and all were in favor.

**TOWN OF FLOWER MOUND, TEXAS**



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**DEREK FRANCE, MAYOR**

**ATTEST:**



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**THERESA SCOTT, TOWN SECRETARY**