

**THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 18<sup>TH</sup> DAY OF OCTOBER 2021, 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
Ben Bumgarner	Mayor Pro Tem
Sandeep Sharma	Deputy Mayor Pro Tem
Adam Schiestel	Councilmember Place 1
Jim Engel	Councilmember Place 4
Ann Martin	Councilmember Place 5

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

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
Debra Wallace	Interim Town Manager/CFO
Tommy Dalton	Assistant Town Manager
Lexin Murphy	Director of Planning Services
Brandon Barth	Division Chief, Fire Department

**A. CALL REGULAR 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**

Chaplain Russ McNamer gave the invocation and Mayor France led the pledges.

**D. 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.	Ron Garvey, 624 Saddleback	Smokefest
2.	Duane Francis, 3916 Belstrum Dr	Smokefest
3.	Tanner Wilson, 4925 Creekwood Dr	2026 World Cup
4.	Ashley Perrine-Dunbar, 6905 Red Bud Dr	Red Bud Point Rd
5.	Swati Rustagi, 2600 Creekside Pl	Diwali Festival of Light
6.	Anurag Sharma, 4521 Delaina Dr	Seva Diwali Food Drive
7.	Cindy Waters, 3030 Wager Rd	Emerald Place
12.	Steve Niles, 6609 Red Bud Dr with donated time from: Bernard Gourlay, 6408 Crooked Ln Lynne Lemmel, 6408 Crooked Ln	Red Bud Point roads

**E. PRESENTATIONS**

1. Proclamation and presentation of Hometown Hero to Mathew Fleitman  
Mayor France recited the proclamation and presented it to Mathew's father.
2. Presentation on the upcoming Shop Local Week (November 1-7)  
Lori Walker, President, Flower Mound Chamber, outlined the reasons for shopping local, and provided details about the Shop Local marketing campaign.

**F. ANNOUNCEMENTS**

Mayor France and members of Council expressed appreciation for Debra Wallace, Interim Town Manager/CFO, given this is her last Council meeting prior to her retirement date at the end of this month.

Councilmember Engel announced voting information for the November 2<sup>nd</sup> election.

**G. TOWN MANAGER'S REPORT**

There was an update or discussion regarding:

1. Introduction and Oath of Office - Paul Henley, New Fire Chief  
Ms. Wallace introduced the new Fire Chief Paul Henley. Mayor France provided his ceremonial Oath of Office.
2. Capital improvement projects
  - Pink Evening Primrose trail connection
  - US 377 @ 1171 water line relocation
3. Economic Development projects
  - New and coming soon businesses

**H. FUTURE AGENDA ITEMS**

1. Mayor Pro Tem Bumgarner requested a future agenda item to discuss having the Hometown Hero pictures and information in the water bill, and as was mentioned by Mr. Fleitman during the Hometown Hero banner presentation.  
There was Council discussion that a future agenda item isn't needed, and it can be handled administratively with the Town Manager.
2. Councilmember Schiestel requested the two Duke items (MPA21-005 and ZPD21-0003) come back to Council for reconsideration on Nov. 1<sup>st</sup>, with the understanding an amended plan would be remanded back to the Planning & Zoning Commission.

There was Council consensus to do so.

Mr. Meredith clarified the legality of the request and Mr. Dalton and Ms. Murphy addressed the timing aspect.

**I. COORDINATION OF CALENDARS**

1. A work session is scheduled for Thursday, October 21 (needs to be rescheduled due to consultant availability).

Mr. Dalton noted the outstanding items as discussed during the Strategic Planning Session, including a proposed timeline for them to be heard.

There was Council discussion regarding the order in which those items would be heard. There was consensus to have a discussion about development impact fees at the December work session and the Cross Timbers/Lakeside Business District at the November work session.

2. A regular meeting is scheduled for Monday, November 1.

Mayor France sought confirmation that everyone will be available for the November 1<sup>st</sup> meeting. Mayor Pro Tem Bumgarner indicated he will be unable to attend.

There was discussion about cancelling the December 20<sup>th</sup> regular meeting given the Christmas holiday is the same week. There was Council consensus to do so.

**J. CONSENT ITEMS**

1. 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 4, 2021.
2. *Item 2 moved from consent to regular items.*
3. Consider approval of an Annual Maintenance Contract with ProCare Services/Stryker for Emergency Services ambulance equipment in the amount of \$18,610.40; and authorization for the Mayor to execute same on behalf of the Town.
4. Consider approval to continue contracted services with Dr. Sean Fleming in the amount of \$63,375.00 for EMS Medical Direction.
5. Consider approval of the purchase of Firefighter uniforms in the amount of \$75,000.00 from Gall's LLC through the City of Frisco Cooperative Bid No. 1905-082 (TOFM No. 2019-168-I).
6. Consider approval of the annual firefighter physical examinations with Huguley Memorial Medical Center through contract No. 2018-2-A in the total amount of \$64,680.00 and authorization for the Mayor to approve same on behalf of the Town.
7. Consider approval of the purchase of emergency medical supplies and pharmaceuticals from Bound Tree Medical LLC, through the City of Midlothian Bid#2020-28 in the amount of \$120,000.00.
8. Consider approval of the purchase of a 2021 Pierce Air and Light Unit (F550 Chassis with Utility Body) for the Fire and Emergency Services Department from Siddons-Martin Emergency Group, through the BuyBoard Contract #571-18, in the total amount of \$331,279.00; and authorization for the Mayor to execute same on behalf of the Town.

9. Consider approval of the purchase of a 2022 Chevrolet Tahoe for the Fire and Emergency Services Department from Holiday Chevrolet, through the Tarrant County Cooperative Contract #2020-0174, in the total amount of \$50,817.83.
10. Consider approval of the purchase of Procore Technologies, Inc., Project Management Software from Carahsoft Technology Corp, through a Texas Department of Information Resources (DIR) contract, in the amount of \$37,144.86.
11. Consider approval of a Professional Services Contract with Promoter Line, Inc., to provide professional event production and planning services for the Independence Fest, in an amount not-to-exceed \$201,700.00 and authorization for the Mayor to execute same on behalf of the Town.

Deputy Mayor Pro Tem Sharma moved to approve by consent Items 1; 3 – 11, as presented in the agenda caption. Councilmember Engel 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: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN**

**NAYS: NONE**

**K. REGULAR ITEMS**

2. Consider approval of a resolution declaring expectation to reimburse water and sewer project expenditures with proceeds of future debt and authorizing the preparation of the documents associated with the issuance, sale, and delivery of the debt obligations; and providing an effective date.

Ms. Wallace provided background information regarding the item and the corrected information.

**RESOLUTION NO. 26-21**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT, AND AUTHORIZING THE PREPARATION OF THE DOCUMENTS ASSOCIATED WITH THE ISSUANCE, SALE AND DELIVERY OF THE DEBT OBLIGATIONS; AND PROVIDING AN EFFECTIVE DATE.**

Deputy Mayor Pro Tem Sharma moved to approve as presented, with the revisions as referenced by staff. Councilmember Engel seconded the motion.

**VOTE ON MOTION:**

*Motion passed*

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

**NAYS: NONE**

12. Public Hearing to consider an ordinance granting Specific Use Permit No. 475 (SUP21-0009– Pepper Creek Ranch Lot 1 Blk B Accessory Dwelling) to permit an accessory dwelling. The property is generally located north of Bloomington Parkway and west of Summer Hill Court. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its October 11, 2021, meeting.)

**Staff Presentation**

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Concept plan
- Site photos
- Accessory dwelling regulations
- Primary dwelling
- Concept elevations – materials and colors

Mayor France opened the Public Hearing at 7:15 p.m. No one spoke. Mayor France closed the Public Hearing at 7:15 p.m.

Mayor Pro Tem Bumgarner moved to approve as presented. Councilmember Engel seconded the motion.

**ORDINANCE NO. 44-21**

**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. 475 (SUP-475) FOR AN ACCESSORY DWELLING ON CERTAIN PROPERTY DESCRIBED AS LOT 1, BLOCK B OF PEPPER CREEK RANCH ADDITION AND ZONED PLANNED DEVELOPMENT NO. 162 WITH SINGLE-FAMILY RESIDENTIAL USES AND CLUSTER DEVELOPMENT STANDARDS; 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.**

**VOTE ON MOTION:***Motion passed***AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN****NAYS: NONE**

13. Consider the approval of an Interlocal Agreement among the City of Lewisville, the Town of Flower Mound, and the City of Highland Village for the design, construct, maintenance, operation, and management of a Joint Firefighting Training Facility.

**Staff Presentation**

Mr. Barth gave a presentation identifying or noting:

- Background information
- Interlocal agreement
- Needs assessment
- Proposed facility

and he responded to questions from Council regarding:

- Ability to do live training
- Equitable sharing

Councilmember Engel moved to approve as presented. Deputy Mayor Pro Tem Sharma seconded the motion.

**VOTE ON MOTION:**

*Motion passed*

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

**NAYS: NONE**

**L. BOARDS/COMMISSIONS**

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

No action taken.

14. Discuss and consider Outstanding Citizen Award Committee members.

**Staff Presentation**

Ms. Scott provided background information regarding the item. She announced the non-profit representatives that will be serving on the committee are:

1. Marilyn Lawson, KFMB
2. Sharon Gentry, Lions Club
3. Brit Stock, Summit Club

and with the following members were selected by the Mayor and Councilmembers:

4. Carol Kyer (by Mayor/previous recipient)
5. Kathy Blair (by Councilmember Schiestel)
6. Misty Stern (by Deputy Mayor Pro Tem Sharma)
7. Troy Bishop (by Mayor Pro Tem Bumgarner)
8. Emily Strittmatter (by Councilmember Engel)
9. Bob Kohankie (by Councilmember Martin)

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

The Town Council convened into a closed meeting at 7:26 p.m. on October 18, 2021, 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 8:24 p.m. on October 18, 2021, and no action was taken on items a. – e. as follows:

- a. Consultation with Attorney.

1. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Applications
2. Red Bud Point roads

- 3. Global Opioids Settlement in conjunction with the Texas Attorney General's Office
  - b. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights-of-way, cultural arts center, 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, senior housing, hospitality projects, and performance related to certain incentive agreements.
  - e. Discuss and consider hiring of Town Manager, conduct interviews, or review Town Manager applicants and all matters incident and related thereto.
  - f. Discuss and consider appointment of an Interim Town Manager

Mayor Pro Tem Bumgarner moved to appoint Tommy Dalton as Interim Town Manager starting October 30, 2021 at midnight, until his successor is appointed, and with terms as discussed in closed session. Councilmember Engel seconded the motion.

**VOTE ON MOTION:**

*Motion passed*

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

**NAYS: NONE**

**O. ADJOURN REGULAR MEETING**

Mayor France adjourned the meeting at 8:26 p.m. on Monday, October 18, 2021, 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**