

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 7TH DAY OF NOVEMBER 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
Justin Hobbs	Police Officer
Paul Henley	Fire Chief
Andy Kancel	Police Chief

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

Chaplain Will Langford gave the invocation and Mayor France led the pledges.

D. PRESENTATIONS

1. Update on regional transportation programs or initiatives by City of Lewisville Mayor Pro Tem Brandon Jones, Regional Transportation Council (RTC), representing the cities/towns of Lewisville, Highland Village, and Flower Mound.

City of Lewisville, Mayor Pro Tem Brandon Jones gave a presentation identifying or noting:

- Representatives
- What RTC does
- 2045 mobility plan
- References

and he responded to questions from Council regarding:

- Clarification for the segment of 2499 to be expanded
2. Announcement and presentation of National Night Out neighborhood winners.

Officer Hobbs announced the 2022 National Night Out winners as follows:

- Bridlewood (large HOA category)
 - The Peninsula (small HOA category)
 - The Wager Road Neighborhood (individual party category)
3. Presentation by the Friends of the Library of a donation to the Town in the amount of \$60,000.

Ann Martin, President, Friends of the Public Library, provided background information about the donation and what the funds are used for.

4. Proclamation to designate November as Arts Month in Flower Mound.

Mayor France recited the proclamation and presented it to Ron Miller, Chair, Cultural Arts Commission.

E. PUBLIC COMMENT

No one spoke.

F. ANNOUNCEMENTS

Councilmember Schiestel offered thanks to everyone that participated in the Veterans Day Ceremony.

Councilmember Engel reported on a pinning ceremony at the Fire Department for various promotions. He also reported it's not too late to sign up for Dorothy's Dash.

Deputy Mayor Pro Tem Martin announced there is an Art Party at the Library on November 11. She also provided additional information on the Dorothy's Dash event.

Mayor Pro Tem Sharma announced there is a Veterans Day relay on November 11.

Mayor France announced that Nov 8 is Election Day.

G. TOWN MANAGER'S REPORT

Mr. Childers provided an update on the following items:

1. Capital improvement projects

No discussion.

2. Economic Development projects

Lakeside International Office Center recently acquired a corporate company (Home Franchise Concepts) that will take over the third floor.

3. Operational updates
 - a. Fire Chief Henley and Police Chief Kancel reported on a recent medical response situation that involved police personnel.
 - b. Mr. Childers highlighted three departments for recent awards received:
 1. Fleet Services (Clean Fleets Award)
 2. Planning Services (Excellence in Planning Award)
 3. Communications (twenty two awards received from the Texas Association)

H. FUTURE AGENDA ITEMS

1. There were no future agenda item request.

I. COORDINATION OF CALENDARS

1. A work session is scheduled for Thursday, November 17; December 15
2. A regular meeting is scheduled for Monday, November 21; December 5 and 19

Mayor France asked if everyone plans to attend the above referenced meetings. Councilmember Schiestel indicated he will not be available on November 21. Councilmember Taylor indicated he is tentative for the November 17th work session.

J. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on October 17, 2022, a work session on October 20, 2022, and a special meeting on October 28-29, 202
2. Consider approval of the award of RFP No. 2023-2-A with McGriff, Seibels, & Williams of Texas, Inc. in the amount of \$50,000 for health benefits brokers services with McGriff, Seibels, & Williams of Texas, Inc., and authorization for the Mayor to execute same on behalf of the Town.
3. Consider approval of an Interlocal Cooperation Agreement with Denton County for the provision of library services for the benefit of the citizens of Denton County, and authorization for the mayor to execute same on behalf of the Town.
4. Consider approval of a Professional Services Agreement for the Denton Creek and Prairie Vista Wastewater Model update project, with Kimley-Horn, for \$82,000; and authorization for the Mayor to execute same on behalf of the Town.
5. Consider approval of an Ordinance amending Chapter 14, "Buildings and Building Regulations," Article XVI – Fences in the Floodplain Prohibited, of the Code of Ordinances of the Town of Flower Mound; and authorization for the Mayor to execute same on behalf of the Town.

ORDINANCE NO. 52-22

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 14-610 "DEFINITIONS," OF ARTICLE XVI, "FENCES IN THE FLOODPLAIN PROHIBITED," OF CHAPTER 14, "BUILDINGS AND BUILDING REGULATIONS," OF THE CODE OF ORDINANCES, TOWN OF

FLOWER MOUND, TEXAS, BY DEFINING THE TERM “TOWN MANAGER” AND UPDATING THE CONFLICTS WITH OTHER ORDINANCES SECTION; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

6. Consider approval of Change Order No. 3 for the construction of the FM2499 12-Inch Water Line Phase I (Dixon to South of FM1171) project, amending the contract with GRod Construction, LLC, to provide for an increase to the contract in the amount of \$18,993.85; and authorization for the Mayor to execute same on behalf of the Town.
7. Consider approval of the annual purchase contract for asphalt Pavement Resurfacing Services from Reynolds Asphalt & Construction Company, through a City of Grand Prairie Contract (#21157) for an estimated total of \$780,000.00.
8. Consider approval of a Professional Services Agreement with Policy Confluence, Inc. for survey services in the amount of \$17,000; and authorization for the Mayor to execute same on behalf of the Town.
9. Consider approval of a Service Agreement with Stryker ProCare for the Fire Department’s emergency medical equipment in the amount of \$119,377.00 due in four equal annual payments; and authorization for the Mayor to execute same on behalf of the Town.
10. Consider approval for the purchase of desktop and laptop computers, ruggedized laptop computers and peripherals from Dell, in the amount of \$172,381.51
11. Consider approval of purchasing two (2) 2023 Ford Escape Small SUVs for the Information Technology Division, per Town of Flower Mound specifications, for \$58,712.50
12. Consider approval of purchasing one (1) 2023 Ford PIU SUV Hybrid with Police Equipment Packages as per Town of Flower Mound Specifications and Vendor estimate from Silsbee Ford for \$76,226.25.
13. Consider approval of purchasing one (1) 2023 Ford F150 Crew Cab 4-wheel drive truck with Police Equipment Packages as per Town of Flower Mound Specifications and Vendor estimate from Silsbee Ford for \$58,413.21.
14. Consider approval of purchasing one (1) 2023 Dodge Charger with Police Equipment Packages as per Town of Flower Mound Specifications and Vendor estimate from Donaldson Chrysler Dodge Jeep Ram (CDJR) for \$60,845.16.
15. Consider approval of purchasing thirteen (13) 2023 Chevrolet Tahoes with Police Equipment Packages as per Town of Flower Mound Specifications and Vendor estimate from Lake Country Chevrolet for \$887,805.50.
16. Consider approval of the purchase of two (2) 2023 Chevrolet Silverado double cab trucks per Town of Flower Mound specifications and quote from Lake Country Chevrolet for \$78,056.90

Mayor Pro Tem Sharma moved to approve by consent Items 1 – 16, as presented in the agenda caption. Councilmember Schiestel 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**

Mayor France opened Items #17 & #18 at the same time

17. Public Hearing to consider an ordinance amending the Master Plan (MPA22-0001 – Cross Timbers Conservation Development District Update) by amending Section 1 “Land Use Plan,” Section 2 “Area Plan,” and Section 4 “Urban Design Plan,” for the purpose of updating conservation expectations and vision within the Cross Timbers Conservation Development District. (PZ recommended approval by a vote of 6 to 0 at its October 10, 2022, meeting.) (The Town Council postponed this item to a date certain by a vote of 4 to 0 at its October 17, 2022, meeting.)
18. Public Hearing to consider an ordinance amending the Land Development Regulations (LDR22-0002 – Cross Timbers Conservation Development District Update) by amending Chapter 98 “Zoning,” of the Town's Code of Ordinances to amend conservation development standards within the Cross Timbers Conservation Development District. (PZ recommended approval by a vote of 6 to 0 at its October 10, 2022, meeting.) (The Town Council postponed this item to a date certain by a vote of 4 to 0 at its October 17, 2022, meeting.)

Staff Presentation

Ms. Murphy gave a presentation for items 17 and 18 identifying or noting:

- Purpose of Cross Timbers Conservation Development District (CTCDD)
- Environmentally sensitive areas
- Conservation – type developments
- Town correspondence and process
- Key meetings
- Back to basics (public input)
- Land use and urban design plans
- Land use map
- Area plan – CTCDD
- Land Development Regulations changes
- Summary (major points)

and she, or Mr. Dalton, responded to questions from council regarding:

- Objective for conducting an annual review
- Clarification regarding the cluster development option
- Incentives (landowner benefits)
- Resident survey response as it relates to incentives for developers who conserve land
- Parks (dog park)
- Lighting limitations
- ECC review component

Mayor France opened the Public Hearing for items 17 and 18 at 7:27 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 or Support or Opposition Unknown
Marc & Caroline Finley, 2600 Bourne Ln*	Chris Bowman, 3031 High Rd	Mike Boswell, 2665 Virginia
Glen & Kia Mastey, 3608 Polo Run*	Reginald Rembert, 4316 Laura Ln	
Toni Moffitt, 516 Newport Dr*	Curtis Loveless, 3708 Granada, Denton, TX	
Beth & Julianne Soderberg, 3100 Wager*	Sally & Waddell Mashburn, 6051 Walnut Hill Cir, Dallas, TX	
Jacque & Larry Narrell, 4801 Lusk Ln*	Charlie Cummings, 7100 Cross Timbers	
Gerard & Harrison Tobin, 5605 Southern Hill Ct*		
Karla & Mark Walz, 3616 Wolcott Dr*		
Marsha Gavitt, 6501 Meadowcrest		
Tim Whisenant, 2300 Olympia # 1484		
Fred Vincent, 3933 Bordeaux Cir		
Scott Langley, 800 Carter Ct		

**Did not wish to speak.*

Mayor France closed the Public Hearing at 7:56 p.m.

There was Council discussion regarding:

- How some of the changes are warranted and cleans up things needed in the Town
- Concerns regarding the elimination of incentives/cluster option for developers going from 1.6 to 2 acres per lot and the impact to the landowners
- Conservation is the priority and not economic development
- Some initial concerns with the changes being rushed, but later concluded otherwise after reviewing the amount of public input opportunities
- Purpose of making the change and in a way brings it back to the original intent
- Equal treatment to landowners
- Cluster development concept remains; however, it's more about a change to that option
- Recognize landowner rights and the proposed change offers a good compromise
- Conservation development option still exist and it's in line with what residents said they wanted over the course of 16 months
- Resident survey results
- Campaigning as it relates to the Master Plan

Mayor Pro Tem Sharma moved to approve item 17 as presented. Deputy Mayor Pro Tem Martin seconded the motion.

ORDINANCE NO. 53-22

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 REPLACING AND REPLACING SECTIONS 1.0, "LAND USE PLAN;" 2.0, "AREA PLANS;" AND 4.0, "URBAN DESIGN PLAN;" PROVIDING THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:*Motion passed***AYES: SHARMA, MARTIN, SCHIESTEL, TAYLOR****NAYS: ENGEL**

Mayor Pro Tem Sharma moved to approve item 18 as presented. Deputy Mayor Pro Tem Martin seconded the motion.

ORDINANCE NO. 54-22

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 98, "ZONING," OF THE TOWN'S CODE OF ORDINANCES, TO AMEND CONSERVATION DEVELOPMENT STANDARDS RELATED TO THE CROSS TIMBERS CONSERVATION DEVELOPMENT DISTRICT; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:*Motion passed***AYES: TAYLOR, SCHIESTEL, MARTIN, SHARMA****NAYS: ENGEL**

19. Public Hearing to consider a request for a Comprehensive Sign Package (CSP22-0003 – Shiloh Cemetery Arch) for Shiloh Cemetery. The property is generally located north of Cross Timbers Road and west of Shiloh Road. (PZ recommended approval by a vote of 6 to 0 at its October 24, 2022, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Old Shiloh Cemetery archway sign
- Purpose of comprehensive sign package
- Site photos
- Site location
- Sign dimensions

- Sign examples

and she responded to questions regarding

- Sign types in the land development regulations
- What type of sign would be allowed without the comprehensive sign package

Mayor France opened the public hearing at 8:15 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 or Support or Opposition Unknown
Dick Cassidy, 4451 Dale Earnhardt, Northlake (representing applicant)	None	None

Mayor France closed the public hearing at 8:16 p.m.

Councilmember Engel moved to approve item 19 as presented. Councilmember Taylor seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: SHARMA, MARTIN, ENGEL, SCHIESTEL, TAYLOR

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, Historical Commission Task Force, Parks Board, School Liaison Committee, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), Transportation Commission, and Veterans Liaison Board.

No discussion.

M./N. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 8:17 p.m. on November 7, 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 9:31 p.m. on November 7, 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
- 2. Housing Discrimination Complaint
- 3. La Estancia Investments, L.P., v. Town of Flower Mound
 - 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, senior housing, hospitality projects, and performance related to certain incentive agreements.

O. ADJOURN REGULAR MEETING

Mayor France adjourned the meeting at 9:32 p.m. on Monday, November 7, 2022, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

DEREK FRANCE, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY