

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 2ND DAY OF MARCH 2020, 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:

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|----------------|-----------------------|
| Steve Dixon | Mayor |
| Sandeep Sharma | Mayor Pro Tem |
| Claudio Forest | Deputy Mayor Pro Tem |
| Jim Pierson | Councilmember Place 1 |
| Ben Bumgarner | 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 |
| Jimmy Stathatos | Town Manager |
| Debra Wallace | Deputy Town Manager/CFO |
| Tommy Dalton | Assistant Town Manager |
| Lexin Murphy | Director of Planning Services |
| Tiffany Bruce | Executive Director of Public Works |

A. CALL REGULAR MEETING TO ORDER

Mayor Dixon 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 Dixon 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.

	Speaker names and address	Subject (as written on the form)
1.	Janvier Werner, 2828 Bob White Lane	Single Family Estate (SFE) Zoning
2.	David Johnson, 3617 San Paula	Public comments

E. PRESENTATIONS

1. Commitment to Excellence Award (Police Department)

The Texas Highway Patrol presented two Flower Mound officers with a Commitment to Excellence Award for their work on a DWI Task Force during this last holiday season.

F. ANNOUNCEMENTS

Mayor Dixon had the following announcements or reported on:

- Welcomed Flower Mound Citizen Academy participants present at the meeting
- Police banquet and various awards

Councilmembers Engel and Bumgarner announced that Tuesday, March 3 is Election Day.

Deputy Mayor Pro Tem Forest announced that this Saturday the Summit Club is having their annual fundraiser and he highlighted some of the area charity organizations that benefit from the proceeds.

G. TOWN MANAGER'S REPORT

Mr. Stathatos provided an update and there was discussion on:

1. Update and status report related to capital improvement projects.
 - Aberdeen Drive extension
2. Update and discussion on Economic Development projects.
 - New or coming soon businesses
3. Seasonal outdoor photography studio

Mr. Dalton gave a presentation identifying or noting:

- Business owner request (3 components)
- Options

and he responded to the following questions from Council:

- What are the unintended consequences in going down this path
- Is the request before Council just for Parker Square
- Clarification in that what's presented doesn't change the language as it relates to special events
- Would the application include a specific area within Parker Square
- Clarification regarding the Planned Development (PD) amendment process

Council Discussion

There was Council discussion regarding:

- Concern regarding limiting just to Parker Square when there might be additional demand out there, such as Lakeside
- Deal with just the one Parker Square issue now; however, need to be mindful that other request may be coming forward and there needs to be a process for that
- Planned Development amendment process

There was Council consensus to open the option globally; however, to be as efficient as possible for Parker Square, and let staff try to figure that out and bring forward whichever one fits best.

H. FUTURE AGENDA ITEMS

1. There were no future agenda item request.

I. COORDINATION OF CALENDARS

1. A regular meeting is scheduled for Monday, April 6.
2. Consider scheduling an April 16 work session to allow discussion on short-term rental regulations.

Mayor Dixon announced the April 6 meeting and there was Council consensus to have the April 16 work session for the purpose of discussing short-term rental regulations.

J. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on February 17, 2020.

Item 2 was moved to regular items.

3. Consider approval to award Best Value Bid No 2020-2-A for Landscape Maintenance Program-Forest Vista/Lake Forest to Brightview Landscape Services, Inc. at the unit prices bid, in the estimated annual amount of \$21,134.40; and authorize the Mayor to execute same on behalf of the Town.
4. Consider approval of a Professional Services Agreement with Alliance Geotechnical Group, to provide construction materials engineering and testing, for the Garden Ridge Through Lane and Peters Colony Roundabout projects, in the amount of \$29,211.00; and authorization for the Mayor to execute same on behalf of the Town.

Mayor Pro Tem Sharma moved to approve by consent Items 1, 3, and 4 as presented in the agenda caption. Councilmember Bumgarner 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: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON

NAYS:

K. REGULAR ITEMS

2. Consider approval of the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2019.

Ms. Wallace responded to the following questions from Council:

- Clarification regarding the financial goals table and potential uses of the fund balance

Mayor Pro Tem Sharma moved to approve Items 2 as presented in the agenda caption. Councilmember Engel seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER

NAYS: NONE

5. Consider approval of a Construction Agreement with Reliable Paving Inc., for the Garden Ridge Through Lane and Peters Colony Roundabout projects, in the amount of \$1,205,174.30; and authorization for the Mayor to execute same on behalf of the Town.

Staff Presentation

Ms. Bruce provided background information about the project, including the scope of work for the project.

and she responded to the following questions from Council:

- What is the Town's history with the company
- Clarification regarding the evaluation criteria for a contractor

Deputy Mayor Pro Tem Forest moved to approve Item 5 as presented. Councilmember Engel seconded the motion.

VOTE ON MOTION:

AYES: FOREST, SHARMA, ENGEL, PIERSON

NAYS: BUMGARNER

Motion passed

6. Consider a request for an exception (RF20-01050) to Section 98-1142, Fence Height and Visibility, of the Code of Ordinances, to build a residential fence in excess of the Town's maximum height standards. The property is located at 3212 Pecan Meadows Drive.

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General location
- Site plan
- Exception
- Photos

and she, or Mr. Dalton, responded to the following questions from Council:

- What is the fence height on the neighbor's property on the other side
- What is the possibility of adjacent neighbors wanting to do similar
- Has staff received feedback from the neighbors on the west side
- If situations like this can be handled at the time the initial project comes through
- Clarification that at one end it would be aligned but not at the other end, and what's the opinion of the neighbor with the lower fence
- What type of material will the fence be (wrought iron or wood)
- How could situations like this be prevented in the future

Council Discussion

There was Council discussion regarding:

- Would be interested to know if both neighbors on each side are acceptable to the 11-foot fence

- Preference to not have an 11-foot fence at one end adjoin a 6 foot at the other end
- Interest in drop/stair down option.
- If the applicant is not amenable to the stair step down approach to meet the west side's neighbors back fence, what does that neighbor think
- How the situation is not about the neighbor, but more about the builder and how they just stopped half way through his property
- It's difficult to legislate all the possible scenarios that might be coming in the future

There was Council consensus to have staff reach out to the neighbor on the west side to get their input on the neighbors proposed 11-foot fence.

Deputy Mayor Pro Tem Forest moved to postpone Item 6 (RF20-01050) to April 6, 2020. Councilmember Pierson seconded the motion.

VOTE ON MOTION:

AYES: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER

NAYS: NONE

Motion passed (postpone)

L./M. CLOSED/OPEN MEETING

The Town Council did not convene into a closed meeting. No action was taken on the following items:

- a. Consultation with Attorney.
- b. Discuss and consider purchase, exchange, lease or value of real property for parks and/or other municipal purposes and all matters incident and related thereto.
- c. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.

N. ADJOURN REGULAR MEETING

Mayor Dixon adjourned the meeting at 6:57 p.m. on Monday, March 2, 2020, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

STEVE DIXON, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY