

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 7TH DAY OF JUNE 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:

Steve Dixon	Mayor
Jim Engel	Mayor Pro Tem
Ben Bumgarner	Deputy Mayor Pro Tem
Sandeep Sharma	Councilmember Place 2
Ann Martin	Councilmember Place 5

with the following member absent:

Councilmember Place 1	Vacant
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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
Tiffany Bruce	Assistant Town Manager/Town Engineer

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.	Derek France, 2908 Pioneer Park Dr	Thank you

E. ANNOUNCEMENTS

Mayor Pro Tem Engel reported on the Memorial Day ceremony turnout.

Mayor Dixon expressed appreciation for everyone that participated in the last election.

F. TOWN MANAGER'S REPORT

Ms. Wallace provided an update regarding the following projects:

1. Capital improvement projects
 - CIP Projects delayed given the recent rain events
 - Twin Coves Park closed until further notice due to high water
2. Economic Development projects
 - New or coming soon businesses

G. FUTURE AGENDA ITEMS

1. Deputy Mayor Pro Tem Bumgarner suggested it might be time to revisit the Town Manager search.

There was Council consensus to revisit the topic at the Strategic Planning Session.

H. COORDINATION OF CALENDARS

Mayor Dixon announced the following upcoming meetings:

- A special meeting to interview and deliberate on Place 1 applicants is scheduled for Thursday, June 10.
- A regular meeting to canvass the runoff election is scheduled for Tuesday, June 15, at which time the incoming mayor will be sworn in, and there will be a public reception between 5:15 – 6:00 p.m. for newly elected Councilmember Place 4, and the outgoing and incoming mayors.
- Propose moving the Strategic Planning Session from June 18 to July 15.

There was Council consensus to move the Strategic Planning Session to July 15th, and with a 4pm start time.

I. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on May 17, 2021.
2. Consider approval of the minutes from a special meeting of the Town Council held on June 2, 2021.
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, 2021; and authorization for the Mayor to execute same on behalf of the Town.
4. Consider approval of a resolution authorizing the Town to join with the Steering Committee of Cities Served by CoServ Gas, Ltd. to deny CoServ Gas's application for approval to amend its gas rates.

RESOLUTION NO. 16-21

RESOLUTION OF THE TOWN OF FLOWER MOUND DENYING COSERV GAS, LTD.'S REQUESTED RATE INCREASE; REQUIRING THE COMPANY TO REIMBURSE THE TOWN'S REASONABLE RATEMAKING EXPENSES; 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 THE TOWN'S LEGAL COUNSEL**

5. Consider approval of a Professional Services Agreement with Plummer Associates, Inc., for the development of an Emergency Response Plan in the amount of \$20,000; and authorization for the Mayor to execute same on behalf of the Town.
6. Consider approval of a Construction Agreement with Canary Construction, Inc. for the Sentinel Oaks Water Line Replacement (Three Bridges to Simmons) project, in the amount of \$389,029.00; and authorization for the Mayor to execute same on behalf of the Town.
7. Consider approval of the purchase and installation of the 2020-21 Playground Replacements project, for Grand Park Playground, from Webuildfun, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$250,124.27.
8. Consider approval of a Professional Services Agreement with ECS Southwest, LLP to provide construction materials engineering and testing, for the Waketon Road (Cross Timbers Drive to 1,350' East of Chinn Chapel) project, in the amount of \$121,308.00; and authorization for the Mayor to execute same on behalf of the Town.

Councilmember Sharma moved to approve by consent Items 1 – 8, as presented in the agenda caption. Councilmember 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: MARTIN, ENGEL, BUMGARNER, SHARMA

NAYS: NONE

J. REGULAR ITEMS

9. Public Hearing to consider an ordinance granting Specific Use Permit No. 469 (SUP21-0003– Turning Pointe Dance Studio) to permit a Dancing, drama, or music school or studio use. The property is generally located south of Garden Road and west of Morriss Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its May 24, 2021, meeting)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Site photos
- Existing site plan
- Approved elevations, landscape plan
- Proposed SUP site plan conditions

and she responded to questions from Council:

- Will there be recitals at this location

Mayor Dixon opened the Public Hearing at 6:20 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
Amy Weidner, 2121 Shumard	None	None
Amy Houston, 2851 Cross Timbers		

Mayor Dixon closed the Public Hearing at 6:23 p.m.

Councilmember Martin moved to approve as presented in the agenda caption. Councilmember Sharma seconded the motion.

ORDINANCE NO. 24-21

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. 469 (SUP-469) FOR A DANCING, DRAMA, OR MUSIC SCHOOL OR STUDIO USE ON CERTAIN PROPERTY DESCRIBED AS 1.05 ACRES OF LAND AND BEING ALL OF LOT 1 OF THE BRIGHT STEPS ADDITION AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 13 (PD-13) WITH OFFICE USES; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

**AYES: SHARMA, BUMGARNER, ENGEL, MARTIN
NAYS: NONE**

10. Consider approval of a Construction Agreement with Clark Electric, Inc., for the Stonecrest Pump Station Phase I (Auxiliary Power) project, in the amount of \$1,856,680.00; and authorization for the Mayor to execute same on behalf of the Town.

Staff Presentation

Ms. Bruce provided background information regarding the purpose of the item.

Deputy Mayor Pro Tem Bumgarner moved to approve as presented in the agenda caption. Councilmember Martin seconded the motion.

VOTE ON MOTION:

Motion passed

**AYES: MARTIN, ENGEL, BUMGARNER, SHARMA
NAYS: NONE**

11. Discussion and presentation about increasing the residential homestead ad valorem (property) tax exemption.

Staff Presentation

Ms. Wallace gave a presentation identifying or noting:

- Calculations
- Background
- Projected impact

and she or Mr. Meredith responded to questions from Council regarding:

- Use of reserve funds
- Timing for a decision
- Corresponding dollar amount for the homestead exemption

There was Council discussion regarding:

- How the benefit is for those who own their home and have a homestead exemption
- How there will be a need to reduce the tax rate in the future due to the 3.5 cap

There was Council consensus to proceed with a June 21 agenda item for the proposed 5% homestead exemption.

K. BOARDS/COMMISSIONS (Pre-Council 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.

L./M. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 6:50 p.m. on June 7, 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 7:05 p.m. on June 7, 2021, and no action was taken on the following items:

- a. Consultation with Attorney.
 1. Cause No. 18-9622-431; EagleRidge Operating, LLC v Town of Flower Mound, Texas, et al
- 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 election of Mayor Pro Tem and Deputy Mayor Pro Tem.

N. ADJOURN REGULAR MEETING

Mayor Dixon adjourned the meeting at 7:05 p.m. on June 7, 2021, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

STEVE DIXON, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY