

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING; TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT SPECIAL MEETING; AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING HELD ON THE 7TH DAY OF JANUARY 2019, 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
Jason Webb	Mayor Pro Tem
Claudio Forest	Deputy Mayor Pro Tem
Sandeep Sharma	Councilmember Place 2
Kevin Bryant	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
Brian Waltenburg	Senior Project 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 Mike Liles gave the invocation and Mayor Dixon led the pledges.

D. PUBLIC COMMENT

No one spoke during public comment.

E. ANNOUNCEMENTS

Councilmember Bryant offered congratulations to the Flower Mound High School band for their participation in the Rose Parade and other events.

Councilmember Engel announced that the Town is accepting applications for both the Citizens and Fire/Police Academy's.

Other members of Council extended well wishes for a Happy New Year.

F. TOWN MANAGER'S REPORT

Mr. Stathatos introduced Lexin Murphy, Director of Planning Services (today was her first day).

There was an update and discussion on the following projects:

1. Capital improvement projects:
 - Mr. Waltenburg gave an update on the Skillern Road project
 - Fire Station 7
 - Stone Creek Park access
2. Economic Development projects:
 - Businesses that recently opened
3. Hotel Land Use definitions

Mr. Dalton provided background information regarding the topic of hotel land use definitions and how staff is seeking direction as to what Council would like to include.

and he responded to the following questions from Council:

- How would Hotel Occupancy Tax options be impacted with home rental occupancies (i.e. Air B & B), including legal aspects associated with applying a hotel occupancy tax to short term rentals
- What is the differentiation between a regular hotel versus an extended stay hotel

There was Council discussion regarding how residents may have concerns about an extended stay hotel versus a regular overnight stay hotel.

G. FUTURE AGENDA ITEMS

1. Councilmember Sharma pointed out that traffic in Flower Mound is an issue, particularly on FM 2499. He noted that after speaking with staff there are some solutions that could be explored, especially at FM 2499 @ 3040. Mayor Dixon recommended staff make this a high priority and start at that intersection and work south. He also encouraged staff to work with the Transportation Commission or other boards as needed to come up with options to relieve traffic and divert the flow to side roads. It was also noted that traffic signal synchronization was an important part of the plan.

Councilmember Engel requested a future agenda item to discuss short term rental needs, especially as they become more popular in the area. Mayor Dixon expressed interest in understanding the legalities related to short term rental. Once that is determined staff could be given direction regarding options to pursue and any next steps.

Councilmember Webb requested Council have a discussion about urban design standards, which would include a comparison with other cities and what applicants have to say. Mayor Dixon indicated staff has started the process for a Master Plan Review and that could be added to the mix of what Planning is doing.

Councilmember Bryant recalled there was discussion at the SPS about expanding the requirements as it relates to rental properties. He would like an update regarding next steps.

Mr. Dalton provided an update.

There was Council consensus to proceed with the above requested future agenda items.

H. COORDINATION OF CALENDARS

1. A work session is scheduled for Thursday, January 17.
2. A regular meeting is scheduled for Monday, February 4.

Mayor Dixon announced the above referenced meeting dates.

I. CONSENT ITEMS

Ms. Wallace provided a correction regarding the heading of proposed revenue versus proposed expenditures under the fiscal impact section of some of the staff reports for the agenda packet.

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 held on December 17, 2018.
2. Consider approval of the purchase of (1) New Ford F-150 Crew Cab Special Service Vehicle 4x4 Pickup Truck with equipment and black exterior paint scheme per attached Vehicle/Equipment Quotes/Specifications from Sam Pack Five Star Ford in the amount of \$50,503.00.
3. Consider approval of the purchase of a new Peterbilt 348 Truck with CLS VacCon V311E Combo Unit per Vendor Specifications/Quote from Rush Truck Center for Public Works - Utility Line Maintenance Division in the amount of \$379,655.75.
4. Consider approval of the purchase of four (4) 2019 Ford F150 Extended Cab Pickup Trucks per Town of Flower Mound Specifications and Quote from Sam Pack's Five Star Ford in the amount of \$113,148.00.
5. Consider approval of the purchase of three (3) New 2019 Chevrolet Tahoe Special Service Vehicle, 4WD, Complete per Vendor Specifications/Quote from Holiday Ford & Holiday Chevrolet dba Johnson Grayson Automotive, Inc for Fire & Emergency Services in the amount of \$154,197.00
6. Consider approval of the purchase of three (3) New Chevrolet Colorado Half-Ton Double Cab Pickup Trucks with 6.5' Bed per Vehicle Quote/Specifications from Reliable Chevrolet in the amount of \$70,287.00.

7. Consider approval of the purchase of eight (8) New 2019 Chevrolet Tahoe RWD 9C1 Police Pursuit Vehicle (PPV) with equipment per Town of Flower Mound Specifications from Holiday Ford and Holiday Chevrolet dba Johnson Grayson Automotive, Inc in the amount of \$468,608.00.
8. Consider acceptance of grant funds for FD 218 Training, from the U.S. Department of Food and Drug Administration for the Retail Standards Grant Program sponsored by the Association of Food and Drug Officials.

RESOLUTION NO. 01-19

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FOR FD 218 TRAINING FROM THE U.S. DEPARTMENT OF FOOD AND DRUG ADMINISTRATION FOR THE RETAIL STANDARDS GRANT PROGRAM, SPONSORED BY THE ASSOCIATION OF FOOD AND DRUG OFFICIALS; APPROVING THE USE OF GRANT FUNDS TO COVER THE COSTS OF AN EMPLOYEE TO ATTEND TRAINING RELATED TO FOOD INSPECTIONS; PLEDGING THAT THE TOWN OF FLOWER MOUND WILL COMPLY WITH ALL PROGRAM REQUIREMENTS OF THE RETAIL STANDARDS GRANT PROGRAM.

9. Consider approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services associated with the ADA Transition Plan & Implementation project – 2019 Update, in the amount of \$100,000.00; and authorization for the Mayor to execute same on behalf of the Town.
10. Consider approval of Amendment No. 2 to the Fiscal Year 2018-2019 Capital Improvement Program.
11. Consider approval of a Development Agreement with JBGL Chateau, LLC, for the construction of the Glenview 12-Inch Water Line, in association with the Villas of Southgate Phase 3 Development, in the amount of \$38,749.50; and authorization for the Mayor to execute same on behalf of the Town.
12. Consider approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc. for the design phase services associated with the Morriss Road 20-Inch Water Line (Forest Vista to Lake Bluff) project in the amount of \$150,000.00; and authorization for the Mayor to execute same on behalf of the Town.
13. Consider approval of a Professional Services Agreement with Half Associates, Inc., to provide professional engineering services, for the East Waketon Road Drainage Improvements project, in the amount of \$212,790.00; and authorization for the Mayor to execute same on behalf of the Town.

14. Consider approval of Change Order No. 1 for the construction of the Firewheel Drive project, amending the contract with Cam-Crete Contracting, Inc., to provide for an increase to the contract in the amount of \$16,864.50; and authorization for the Mayor to execute same on behalf of the Town.
15. Consider approval of a Professional Services Agreement with Criado & Associates Inc., for the design phase services associated with the Grady Court Reconstruction project, in the amount of \$73,738.00; and authorization for the Mayor to execute same on behalf of the Town.
16. Consider approval of a Professional Services Agreement with Pacheco Koch, LLC., for the design phase services associated with the Forest Vista Reconstruction Phase II project, in the amount of \$160,487.00; and authorization for the Mayor to execute same on behalf of the Town.
17. Consider approval of the purchase and installation of the 2018-19 Playground Replacements project, for Stone Creek Park Playground, from Webuildfun, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$199,767.84.
18. Consider approval of renaming Leonard Johns Community Park to Helen and Leonard Johns Community Park.

Mayor Pro Tem Jason Webb moved to approve by consent Items 1 – 18, as presented in the agenda caption. Councilmember Bryant 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: SHARMA, FOREST, WEBB, ENGEL, BRYANT

NAYS: NONE

J. REGULAR ITEMS

19. Consider approval of the construction agreement for Fire Station No. 7 to Schmoltd Construction Inc. in the amount of \$4,495,650.00; and authorization for the Mayor to execute same on behalf of the Town.

Staff Presentation

Ms. Wallace gave a presentation identifying or noting:

- History
- Location
- Building renderings
- Contract details
- Budget impacts
- Alternates 1 and 2

and she responded to the following questions from Council:

- Clarification that the motion includes the add-ons as well

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

VOTE ON MOTION:

Motion passed

AYES: BRYANT, ENGEL, WEBB, FOREST, SHARMA

NAYS: NONE

20. Consider approval of a Construction Agreement with McDonald Municipal & Industrial, a Division of C.F. McDonald Electric, Inc., for the Pintail Pump Station (Auxiliary Power & Upgrades) project, in the amount of \$1,068,469.00; and authorization for the Mayor to execute same on behalf of the Town.

Staff Presentation

Mr. Waltenburg gave a presentation identifying or noting:

- Purpose and scope of work for the project

Mayor Pro Tem Webb moved to approve as presented in the agenda caption. Deputy Mayor Pro Tem Forest seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: SHARMA, FOREST, WEBB, ENGEL, BRYANT

NAYS: NONE

21. Discuss and consider Charter Review Commission recommendations and any proposed amendments to the Town Charter for a future election.

Staff Presentation

Ms. Scott gave a presentation identifying or noting:

- Past Charter Review Commission (CRC) recommendations that were either not placed on the ballot or failed by the voters
- CRC member names (2012, 2014, 2016)
- Deadlines

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

- Petition signature changes and if those items need to be updated
- Charter language clarification regarding roll call voting, and cost associated with incorporating the electronic voting technology

There was Council direction to make sure what was presented is everything and identify any additional items from staff for clean-up. At that point Council can consider next steps at a future meeting.

K./L. CLOSED/OPEN MEETING

The Town Council did not convene into a closed meeting on January 7, 2019, and therefore no action was taken on the following items:

- a. Consultation with Attorney as follows:
 - 1. All matters related to Cause No. 18-9622-431; EagleRidge Operating, LLC v. Town of Flower Mound.
- 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 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, and performance related to certain incentive agreements.

N. ADJOURN REGULAR MEETING

Mayor Dixon adjourned the meeting at 6:43 p.m. on Monday, January 7, 2019, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

Steve Dixon

STEVE DIXON, MAYOR

ATTEST:

Theresa Scott

THERESA SCOTT, TOWN SECRETARY