

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 5TH DAY OF FEBRUARY 2018, 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:

Tom Hayden	Mayor
Don McDaniel	Mayor Pro Tem
Kevin Bryant	Deputy Mayor Pro Tem
Jason Webb	Councilmember Place 1
Bryan Webb	Councilmember Place 2
Claudio Forest	Councilmember Place 5

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
Doug Powell	Executive Director of Development Services
Tiffany Bruce	Engineering Manager
Matt Hotelling	Traffic Engineer
Brian Waltenburg	Senior Project Engineer
Andy Kancel	Police Chief

A. CALL REGULAR MEETING TO ORDER

Mayor Hayden 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 Rabbi Dennis gave the invocation and Mayor Hayden led the pledges.

D. PUBLIC PARTICIPATION

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.	Paul Stone, 4100 Broadway	Summit Club – WSN
2.	Kris Thompson, 1501 Holly Oak Ct	Voting
3.	Jim Engel, 5110 Bayberry St	Announcement
4.	Sandeep Sharma, 2504 Stillwater Creek	Public Participation
5.	Al Picardi, 1525 Lindby	Crossing Guards

E. ANNOUNCEMENTS

Deputy Mayor Pro Tem Bryant offered congratulations to McKamy Middle School for their Robotics competition program.

Councilmember Bryan Webb commented about a bad experience at one of our area schools and provided background information from when a similar instance happened in the past. He stated that is why he has the sign in front of him that says "Hate Has No Home Here".

F. TOWN MANAGER'S REPORT

Mr. Stathatos gave an update on the following projects:

1. Capital improvement projects
 - Lakeside Parkway
 - Rheudasil Pond
2. Economic Development projects
 - Business of You Break I Fix opened
 - Flower Mound Chamber and Economic Development Forum at Crossfire
 - Play Street Museum

G. FUTURE AGENDA ITEMS

1. There were no requests for future agenda items.

H. COORDINATION OF CALENDARS

1. Discuss canceling the Thursday, February 15 work session date.

There was Council consensus to cancel the February 15 work session.

2. A regular meeting is scheduled for Monday, February 19.

Mayor Hayden announced this next meeting date and confirmed that members of Council would be in attendance.

I. 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 held on January 18, 2018.

DRAFT MOTION: Move to approve 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 January 18, 2018.

2. Consider approval of a resolution of the Town of Flower Mound, Texas calling for a general election to be held on May 5, 2018, for the offices of Mayor, Town Council Place 2, and Town Council Place 4; establishing procedures for those elections; and providing an effective date.

DRAFT MOTION: Move to approve a resolution of the Town of Flower Mound, Texas calling for a general election to be held on May 5, 2018, for the offices of Mayor, Town Council Place 2, and Town Council Place 4; establishing procedures for those elections; and providing an effective date.

RESOLUTION NO. 03-18

A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 5, 2018, FOR THE OFFICES OF MAYOR, TOWN COUNCIL PLACE 2, AND TOWN COUNCIL PLACE 4, ESTABLISHING PROCEDURES FOR THOSE ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

3. Consider approval of an Interlocal Cooperation Agreement with Denton County for the provision of ambulance services for the benefit of the citizens of Flower Mound and Denton County, and authorization for the Mayor to execute same on behalf of the Town.

DRAFT MOTION: Move to approve an Interlocal Cooperation Agreement with Denton County for the provision of ambulance services for the benefit of the citizens of Flower Mound and Denton County, and authorization for the Mayor to execute same on behalf of the Town.

4. Consider approval of an Interlocal Cooperation Agreement with Denton County for the provision of fire protection services for the benefit of the citizens of Flower Mound and Denton County, and authorization for the Mayor to execute same on behalf of the Town.

DRAFT MOTION: Move to approve an Interlocal Cooperation Agreement with Denton County for the provision of fire protection services for the benefit of the citizens of Flower Mound and Denton County, and authorization for the Mayor to execute same on behalf of the Town.

5. Consider approval of an agreement with Crossfire Defense Academy and Range, in the amount of \$19,200.00, for dynamic training and qualification purposes; and authorize the Mayor to execute same on behalf of the Town.

DRAFT MOTION: Move to approve an agreement with Crossfire Defense Academy and Range, in the amount of \$19,200.00, for dynamic training and qualification purposes; and authorize the Mayor to execute same on behalf of the Town.

6. Consider approval of Change Order No. 1 and Final Acceptance of the Western Operations and Maintenance Facility (Temporary Fire Station No. 6) project, for the Landscaping & Fencing, increasing the contract amount by \$11,946.90, and authorization for final payment to Construction Rent-A-Fence, Inc., in the amount of \$36,323.25; and authorization for the Mayor to execute same on behalf of the Town.

DRAFT MOTION: Move to approve Change Order No. 1 and Final Acceptance of the Western Operations and Maintenance Facility (Temporary Fire Station No. 6) project, for the Landscaping & Fencing, increasing the contract amount by \$11,946.90, and authorization for final payment to Construction Rent-A-Fence, Inc., in the amount of \$36,323.25; and authorization for the Mayor to execute same on behalf of the Town.

7. Consider approval of a Professional Services Agreement with Brown Reynolds Watford Architects, Inc., to provide design services and construction documents associated with the Fire Station No. 7 project, in the amount of \$399,600.00; and authorization for the Mayor to execute same on behalf of the Town.

DRAFT MOTION: Move to approve a Professional Services Agreement with Brown Reynolds Watford Architects, Inc., to provide design services and construction documents associated with the Fire Station No. 7 project, in the amount of \$399,600.00; and authorization for the Mayor to execute same on behalf of the Town.

8. Consider approval of the Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services, for the FM 2499 12-Inch Water Line Phase 1 project, in the amount of \$151,500.00; and authorization for the Mayor to execute same on behalf of the Town.

DRAFT MOTION: Move to approve the Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services, for the FM 2499 12-Inch Water Line Phase 1 project, in the amount of \$151,500.00; and authorization for the Mayor to execute same on behalf of the Town.

Councilmember Bryan Webb moved to approve by consent Items 1 - 8. Mayor Pro Tem McDaniel seconded the motion. Each item, as approved by consent, is restated above along with the approved draft motion, and if applicable, the Ordinance or Resolution caption for each, for the record.

VOTE ON MOTION:

Motion passed

AYES: B WEBB, MCDANIEL, BRYANT, J WEBB, FOREST

NAYS: NONE

J. REGULAR ITEMS

11. Public Hearing to approve direction as it relates to Morriss Road Phase II improvements and associated bid document options.

Staff Presentation

Mr. Stathatos, Ms. Wallace, Ms. Bruce, Mr. Hotelling, Mr. Dalton, or Mr. Waltenburg gave a presentation identifying or noting:

- Background information on the project and how to date staff has been functioning with the understanding that the Council direction was to keep Morriss as four lanes
- Introduction of discussion points
 - Timeline
 - Project description
 - Budget

- Traffic study and comparison
- Design
- Turn lane option
- Fuqua option
- Morriss/3040 intersection option
- Thoroughfare/SMARTGrowth discussion
- Bid direction
- Timeline summary
- Morriss Capacity, Paving Panel and Waterline Replacement Project (phasing)
- Morriss Phase II – CIP FY 17/18
- Morriss Phase III – CIP FY 18/19
- Morriss Phase IV – CIP FY 19/20
- Morriss Ph II – IV CIP/Funding Sources
- Level of Service (LOS) definitions
- Traffic Study – Jan 2018
- Volume Comparison 2017 to 2018
- Capacity Improvement Design (map)
- Water Line Replacement (map)
- Turn Lane Option
- Fuqua option, including pros and cons
- Morriss/FM 3040 intersection option
- Thoroughfare plan (designation options and process to change)
- SMARTGrowth and process to remove Morriss from SMARTGrowth
- Options A, B, and C

and they responded to questions from Council, and some were as a result of the public hearing, as follows:

- Where road impact fees can be used
- What is the actual area defined as Service Area A
- What is the remainder of the toll money and what can it be used for
- What is the manual the Town uses for levels of service
- Was there a conversation with Forestwood School about traffic patterns and circulation, and if so, what was the outcome of that discussion
- Clarification regarding any future plans at Forestwood
- What was the time period used in determining the LOS
- Clarification regarding any homes impacted with the Fuqua option
- Is there a waiver option relative to SMARTGrowth
- Clarification regarding level of service as it relates to SMARTGrowth
- Are institutional buildings exempt from SMARTGrowth
- If a shopping center, such as the location of Alforno's wanted to make a renovation, would they need to meet SMARTGrowth standards
- Why the portion of Morriss from 1171 to 3040 is 11 feet versus 12 feet like other roads in Town
- Would the majority of the water line replacement be able to be done in the median without taking out a lane
- Clarification regarding what the design looks like
- Clarification as it relates to the use of the \$400,000
- Clarification regarding the amount of panel replacements and whether lane widths would change from the current 11 feet in that process
- For the improvements outside of the six lanes, does it make sense to have that discussion prior to the water line replacement, and what are the time frame restraints

- What is the best option to accomplish the goal of removing an automatic trigger action of a future council so that the residents that are coming forward today don't have to keep coming back on this same issue
- What is the impact if Morriss Rd is removed from the CIP
- Compliance issues as it relates to ADA requirements and what is the delta on the Town's cost with rolling it in at the same time
- How wide is a bike lane
- Why are there minimal reflective buttons on the various median noses on Morriss
- What would be the process for changing the speed limit to 35 mph from 1171 to 3040 through the main residential corridor
- Can staff provide a ball park estimate with a menu of choices based on some of the things that Council has discussed

There was Council discussion as follows:

- How a portion of the multi divided road from 1171 to 3040 is at 11 feet and concerns that this section needs to be widened to 12 feet like other streets in Town, and something would like to look at in this process
- Background information as it relates to LOS and what number is the threshold as it relates to SMARTGrowth
- Take a look at the crosswalk at Kirkpatrick to see if something is needed there
- How students at Marcus are not crossing at intersections, and the need to explore ideas and suggestions to have them cross at intersections
- How decisions made today are with the current Council and there is no way to predict what future councils will do
- When estimates come back, provide best options as it relates to funding sources
- Being in favor of the Fuqua option
- Why it's necessary to borrow money for a project like this
- How there are multiple factors that need to come forward to address safety such as more lighting, pavement markings, crosswalk markings
- Interest in having multiple options based on the discussions from today, including the associated cost for each
- Whether or not the Transportation Commission should have a discussion about changing the road designation
- Interest in changing the speed limit on Morriss Rd from 40 to 35
- Process and next step options, including what would be a good time to adjust the CIP

There was Council consensus to provide rough cost estimates as it relates to the design for the Fuqua and 3040 option, including some of the safety elements.

Mayor Hayden opened the Public Hearing at 7:19 p.m.

Administrative Note: This item was administratively posted as a public hearing in the interest of getting public input on this topic, as there was not a legal requirement to do so.

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
	Bjorn Vandug, 2016 Barton Creek	
	Scott Wittrock, 2201 College Pkwy	

	Kim Berg, 2012 Barton Creek Ln	
	Suzie Stroope, 1405 Longbow Trl	
	Gloria Vargo, 1312 Rustic Timbers	
	James Seastrom, 2108 Hardy Ln	
	Cathy Strathmann, 2612 Belmont	
	Patrick Martin, 4700 Oak Springs Dr	
	Adam Schiestel, 2205 Waterford Dr	
	Karen Rawson, 1409 Basil Dr	
	Sandeep Sharma, 2504 Stillwater Ct	
	Jim Engel, 5110 Bayberry St	
	Kevin Harvill, 3100 Oak Meadow Dr	
	Gina Day, 5608 Frost Ln	
	Sharon Gentry, 2750 Bob White Ln	
	Kimberly Poe (and 2 sons Brett & Carter), 1717 Marble Pass	
	Jeremy Loveday, 1721 Robin Ln	
	Mary Strickland, 3229 Oak Meadow	
	Renee Doyle, 920 Drake Trail with donated time from the individual(s): Ann Martin, 4700 Oak Springs Dr	
	Name not provided, 2008 Rose Bluff Terr*	
	Name not provided, 2209 Golden Arrow Dr*	
	Harris Williams, 2900 Branch Hollow Cir	
	Maryann Kvancy, 3212 Oak Meadow	
	Mark Clark, 2304 Timber Meadow	
	Daniel Cummings, 2008 Glory Creek Rd	
	Scott Pillifant, 3012 Brush Creek Ln	
	Yvette Elliott, 1309 Homestead	
	Nancy Watson, 1412 Oakwood Ct**	
	Wendy Briscoe, 1725 Kingston Ln**	
	KC Walsh, 3525 High Rd**	
	Mario Verrando, 1761 Meyerwood**	
	William Scott Langley, 913 Sugarberry Ln**	
	Margaret Doss, 5504 Frost Ln**	
	Lisa Malone, 5025 Bayberry St**	
	Michael Waite, 2205 Squires Dr**	
	Aracy McCalley, 1305 Colony St**	
	Kathleen Banes, 2132 Longfellow Ln**	
	Kris Thompson, 1501 Holly Oak Ct**	
	Katy Grote, 165, Double Oak, 75077**	
	Kerri Nessel, 5220 White Pine Dr**	
	Mark Malone, 5025 Bayberry St**	
	Amarendra Uppalapati, 6109 Madeline**	
	Lynn Young, 1516 Leese Dr**	
	Elizabeth Lockwood, 2109 Blue Sage Dr**	
	Charlotte Jones, 3504 Devonshire Ct**	
	William Payne, 5112 Water Oak**	
	Judy Collins, 1537 Simmons**	
	Janvier Scott Werner, 2829 Bob White Ln**	

	Anne Peters, 2117 Cheshire Dr**	
	Michael Peters, 2117 Chestnut**	
	Steve Strickland, 3204 Springwood**	
	Mary Strickland, 3204 Springwood**	
	Katie Lowe, 3113 Springwood Rd**	
	Tony Lawrence, 1121 Coker Dr**	
	Albert Picardi, 1525 Lindby**	
	Christopher Black, 2944 Woodway Dr**	
	William Payne, 5112 Water Oak***	
	Christian Skalberg, 3705 Twin Oaks Ct****	
	Beth Lockwood, 2109 Blue Sage Dr***	
	Lynn Young, 1516 Leese Dr***	
	David Madigan, 1540 Superior Pl	

- * Submitted a speaker card but did not come forward when called
- ** Submitted a speaker card but did not wish to speak
- *** Spoke but did not submit a speaker card

Mayor Hayden closed the Public Hearing at 8:51 p.m.

Councilmember Bryan Webb moved to make Morriss Road a six lane road from FM 3040 to FM 407. Deputy Mayor ProTem Bryant seconded the motion.

VOTE ON MOTION:

Motion failed

AYES: NONE

NAYS: FOREST, J WEBB, BRYANT, MCDANIEL, B WEBB

Deputy Mayor Pro Tem Bryant moved to have the Transportation Commission review and consider changing the current Morriss Road major arterial designation on the Master Thoroughfare Plan to a an alternative designation. Mayor Pro Tem McDaniel seconded the motion.

Council Discussion:

There was Council discussion noting that in addition to the Transportation Commission this item would also be required to be heard by the Planning and Zoning Commission.

VOTE ON MOTION:

Motion passed

AYES: B WEBB, MCDANIEL, BRYANT, J WEBB, FOREST

NAYS: NONE

Mayor Pro Tem McDaniel moved to have the Town initiate the process of reducing the speed limit to consider a change to 35 mph on Morriss Rd between 1171 and 3040. Deputy Mayor Pro Tem Bryant seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: FOREST, J WEBB, BRYANT, MCDANIEL, B WEBB

NAYS: NONE

Administrative note: Item 10 was heard after item 11.

10. Consider a request for a Development Plan (DP18-0001 - Southgate, Northwest Tract) to amend the grading detail for a portion of Phase Two residential. The property is generally located north of Long Prairie Road and west of Gerault Road. (The Planning and Zoning Commission recommended denial by a vote of 7 to 0 at its January 22, 2018, meeting.)

At 9:40 p.m. Mayor Hayden announced that in accordance with Chapter 551.071 the Town Council is convening into closed session for consultation with the Town Attorney regarding this item. The Town Council reconvened into open session at 9:57 p.m.

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- Site location
- Zoning plan
- Southgate concept plan
- Aerial overlay of the location of the creek bed and the area for the 1st phase as part of the Preserve
- Stages in development process
- Development plan
- Photographs of the site, including the creek, headwall, current grading
- Example of a 24 foot wall (by Tom Thumb)
- Staff's recommendation
- P & Z recommendation

And he responding to questions from Council as follows:

- Clarification regarding staff's recommendation

Applicant Presentation

Art Anderson, 2728 N Harwood, Dallas, Tx, representing the applicant

Mr. Anderson provided statements indicating his client's position on the issue and that they believe what was presented meets the requirements of the ordinance.

Mayor Pro Tem McDaniel moved to deny a request for a Development Plan (DP18-0001 - Southgate, Northwest Tract) to amend the grading detail for a portion of Phase Two residential. Councilmember Jason Webb seconded the motion.

VOTE ON MOTION:

Motion to deny passed

AYES: B WEBB, MCDANIEL, BRYANT, J WEBB, FOREST

NAYS: NONE

Administrative note: Item 9 was heard after item 10.

9. Public Hearing to consider a request for rezoning (ZPD18-0001 - Canyon Falls) to amend Planned Development District No. 98 (PD-98) to modify the minimum standards set forth in the Single-Family District-10 (SF-10) zoning district regulations by reducing front and side yard setbacks for certain lots located within Village 5 and eliminating the approved setback modifications for Village 4B, and to consider adopting an ordinance providing for said amendment. The property is generally located north of FM 1171 between Interstate 35W and US 377. (The Planning and Zoning Commission recommended approval by a vote of 7 to 0 at its January 22, 2018, meeting.)

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- Overall location
- Land use and zoning
- Approved zoning exhibit
- Rear and side yard set back
- Lot coverage
- Photographs from the development
- Canyon Falls, Villages 4B and 5

Applicant Presentation

There was no applicant presentation.

Mayor Hayden opened the Public Hearing at 10:16 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
Jim Engel, 5110 Bayberry		

Mayor Hayden closed the Public Hearing at 10:17 p.m.

Mayor Pro Tem McDaniel moved to approve a request for rezoning (ZPD18-0001 - Canyon Falls) to amend Planned Development District No. 98 (PD-98) to modify the minimum standards set forth in the Single-Family District-10 (SF-10) zoning district regulations by reducing front and side yard setbacks for certain lots located within Village 5 and eliminating the approved setback modifications for Village 4B, and adopt an ordinance providing for said amendment. Councilmember Forest seconded the motion.

ORDINANCE NO. 02-18

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NOS. 19-08, 58-12, 35-13, and 48-15, WHICH ESTABLISHED AND LATER AMENDED PLANNED DEVELOPMENT DISTRICT NO. 98 (PD-98) ON CERTAIN PROPERTY DESCRIBED AS APPROXIMATELY 626 ACRES OF LAND SITUATED IN THE M.E.P. & P. R.R. SURVEY, ABSTRACT NO. 922, F. THORNTON SURVEY, ABSTRACT NO. 1244, J. WILBURN SURVEY, ABSTRACT NO. 1416, AND W. LOVE SURVEY, ABSTRACT NO. 728; BY AMENDING THE STANDARDS FOR MINIMUM FRONT AND SIDE YARD SETBACKS FOR CERTAIN LOTS WITHIN VILLAGES 5 AND 4B HAVING A BASE ZONING DISTRICT OF SINGLE-FAMILY DISTRICT-10 (SF-10) USES, IN ACCORDANCE WITH SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: FOREST, J WEBB, BRYANT, MCDANIEL, B WEBB

NAYS: NONE

Motion passed

K./L. CLOSED/OPEN MEETING

The Town Council did not convene into a closed meeting.

- a. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.

No action taken

- 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.

No action taken.

M. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 10:17 p.m. on Monday, February 5, 2018, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

THOMAS E. HAYDEN, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY