

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 2ND DAY OF MAY 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
Ben Bumgarner	Mayor Pro Tem
Sandeep Sharma	Deputy Mayor Pro Tem
Adam Schiestel	Councilmember Place 1
Jim Engel	Councilmember Place 4
Ann Martin	Councilmember Place 5

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
Melissa Demmitt	Director of Communications
Brian Waltenburg	Assistant Director of Engineering

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 Russ McNamer gave the invocation and Boy Scout Troop 451 led the pledges.

D. PRESENTATIONS

1. Proclamation and presentation of Hometown Hero-Jordyn Carlson

Mayor France recited the proclamation and presented it to his family.

2. Mental Health Proclamation

Mayor France recited the proclamation and presented it to Michelle Foster on behalf of WATCH, The Denton County Behavioral Health Leadership Team and Denton County MHMR.

3. Apraxia Proclamation

Mayor France recited the proclamation and presented it to Cooper Martin.

4. Parks Board and Community Development Corporation (CDC) update

Teresa Thomason, Chair, Parks Board and Mehul Desai, President, CDC

Ms. Thomason or Mr. Desai gave a presentation identifying or noting:

- Qualifications
- Parks Board duties
- Park and trail projects
- Looking ahead
- CDC background
- Sales tax funds use
- Project selection
- Rheudasil Park improvements
- Playground surfacing upgrades
- Heritage Park improvements
- Sport lighting improvements at Leonard & Helen Johns Park and Glenwick

E. 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.	Greg Wilson, 637 Loma Alto Dr	Public comment
2.	Mary Kay Walker, 3229 Oak Meadow	SIMA
3.	Paul Stone, 1868 Meyerwood Ln	Ethics
4.	Bryan Webb, 4112 High Rd	Open Meetings Act
5.	Stacey, Karlie, Kenzie, Kammie, Leonard, 11500 Antler Ridge Way, Argyle	Thank you

F. ANNOUNCEMENTS

Councilmember Martin announced that May is Mental Health Awareness and encouraged everyone to seek resources for themselves or others in need.

Council Schiestel announced upcoming election information.

Councilmember Engel reported on the Fire and Police banquets honoring first responders. He also reporting having participated and graduated from the Citizens Fire Academy.

Deputy Mayor Pro Tem Sharma announced the May 7th Arts Festival event.

Mayor France reported that mosquito dunks are available at Town Hall for Flower Mound residents.

G. TOWN MANAGER'S REPORT

Mr. Childers provided background information about the Town's website redesign and Capital Improvement Project map.

- 1./2. Website redesign; Capital improvement project map

Ms. Demmitt gave a preview of the new Town website, and Mr. Waltenburg outlined the features of the new CIP map.

H. FUTURE AGENDA ITEMS

1. There were no future agenda item request.

I. COORDINATION OF CALENDARS

1. The regular meeting has been rescheduled from Monday, May 16, to Tuesday, May 17, in order to canvass the election.

Mayor France announced the above referenced meeting and confirmed that all members of Council plan to attend.

J. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on April 18, 2022.
2. Consider approval of the minutes from a work session of the Town Council held on April 21, 2022.
3. Consider Approval of a Farm Lease Agreement between the Town of Flower Mound and the Wayne Haynes Estate for the lease of Town Property located at 10300 Dunham Road; and authorize the Mayor to execute same on behalf of the Town.
4. Consider approval of the consumption of alcoholic beverages at the Flower Mound Senior Center during the SIM Auxiliary's Elite Chef Competition fundraiser.
5. Consider approval of the Professional Services Agreement with RJN Group, Inc., for Flow Monitoring and Analysis associated with the Inflow and Infiltration project, in the amount of \$90,496.00; and authorization for the Mayor to execute same on the behalf of the Town.
6. Consider approval of the purchase of one 2023 Ford F750 Regular Cab 31k GVWR Dump Truck per Town of Flower Mound Specifications and Vendor Quote from Sam Pack's Five Star Ford for Public Works in the amount of \$85,762.06.
7. Consider approval of a Charter Service Agreement with Durham School Services, L.P., in the amount of \$35,500 to provide shuttle buses for various special events and the day camp program; and authorization for the Mayor to execute same on behalf of the Town.
8. Consider approval of a First Amendment to the Professional Services Agreement with CP&Y, Inc., for the design phase services associated with the FM 2499 at FM 3040 Intersection Improvements project, to increase the design fee by \$23,960.00; and authorization for the Mayor to execute same on behalf of the Town.

Deputy Mayor Pro Tem Sharma moved to approve by consent Items 1 – 8, as presented in the agenda caption. Councilmember Engel 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: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN****NAYS: NONE****K. REGULAR ITEMS**

9. Public Hearing to consider approval of a Chapter 380 with Sunset Boulevard Partners, LLC (SBP), at 3301 Sunset Boulevard, for the economic development of Flower Mound, and authorization for the Mayor to execute same on behalf of Town.

Staff Presentation

Mr. Watson gave a presentation identifying or noting:

- Site location
- Renderings
- Incentive proposal
- Cost-benefit analysis
- Payback periods

and he responded to questions or comments from Council regarding:

- Sunset clauses
- Incentive number
- Cash grant purpose

Developer Presentation

Jimmie Archie, Realty Capital
Brook Thomas, Hilton

Mr. Archie or Ms. Thomas gave a presentation identifying or noting:

- Background information
- Lakeside Village
- Lakeside site plan
- Lakeside Village site plan
- Lakeside Village office and hotel
- Site renderings
- Hotel Miramar and 3301 Sunset (activators of Lakeside Village)
- Wedding chapel
- Walking trails, retail/restaurants along Sunset Blvd and events on the Village lawn
- Amphitheater and biking on Rockledge Park and Northshore Trail
- Project stakeholders
- Curio Collection by Hilton and Miramar, including photo examples

and he responded to questions or comments from Council regarding:

- Phasing
- Hotel classification
- Incentives as it relates to parking

Mayor France opened the Public Hearing at 7:22 p.m. No one spoke. Mayor France closed the Public Hearing at 7:22 p.m.

Mayor Pro Tem Bumgarner moved to approve as presented. Councilmember Engel seconded the motion.

Council Discussion

There was Council discussion regarding:

- Use of incentives
- Confidence of hotel use coming forward

VOTE ON MOTION:

Motion passed

AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL

NAYS: NONE

10. Consider a request for a Development Plan (DP21-0008 – Oakbridge Crossing) to develop a residential subdivision. The property is generally located east of Long Prairie Road and north of Spinks Road. (PZ recommended approval by a vote of 6 to 0 at its April 25, 2022, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Development plan
- Site photos
- Landscape plan and details

and she responded to questions from Council regarding:

- Master Plan alignment

Mayor Pro Tem Bumgarner moved to approve as presented. Councilmember Schiestel seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN

NAYS: NONE

11. Public Hearing to consider an ordinance for rezoning (ZPD21-0013 – Orchard Flower) to amend Planned Development No. 120 (PD-120) with Single-Family District-5 (SF-5) and Retail District-2 (R-2) uses, to modify the conceptual plans and elevations for the non-residential portion and modify the development standards, with an amendment to the previously approved exception to Sec 82-303 for the compatibility setback, and with certain modifications and exceptions to the Code of Ordinances. The property is generally located at the northwest corner of Flower Mound Road and Old Orchard Lane. (PZ tabled this item to a date uncertain by a vote of 6 to 0 at its December 13, 2021, meeting.) (PZ recommended approval by a vote of 6 to 0 at its April 25, 2022, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Site photos
- Approved concept site plan
- Approved amended concept site plan
- Concept plan
- PD Modifications
- Concept elevations – area

and she responded to questions or comments from Council regarding:

- Setbacks
- Masonry wall changes and neighborhood feedback
- Easement access

Mayor France opened the Public Hearing at 7:38 p.m. No one spoke. Mayor France closed the Public Hearing at 7:39 p.m.

Council Discussion

There was Council discussion about the changes made since the P & Z meeting.

Councilmember Engel moved to approve as presented. Councilmember Schiestel seconded the motion.

ORDINANCE NO. 25-22

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NOS. 12-12, 52-14, AND 27-18 WHICH ESTABLISHED AND LATER AMENDED PLANNED DEVELOPMENT DISTRICT NO. 120 (PD-120) ON CERTAIN PROPERTY DESCRIBED AS 2.734 ACRES OF LAND AND BEING ALL OF LOTS 1 AND 2, BLOCK A OF THE GODDARD SCHOOL AT FLOWER MOUND; BY AMENDING THE DEVELOPMENT STANDARDS; BY MODIFYING THE DEVELOPMENT STANDARDS, THE CONCEPTUAL PLANS, AND THE CONCEPTUAL ELEVATIONS FOR THE RETAIL DISTRICT-2 (R-2) PORTION, 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 CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

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

Motion passed

L. BOARDS/COMMISSIONS

Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Animal Services Board, Cultural Arts Commission, Environmental Conservation Commission, 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 7:40 p.m. on May 2, 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 8:51 p.m. on May 2, 2022, to take action on the items as follows:

a. Consultation with Attorney.

1. 2006 Rule 11 agreement and dismissal, Cause No. 2005-20153-158 and Flower Mound Ranch Development Applications

2. Agricultural Zoning

No action taken.

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. No action taken.

No action taken.

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. No action taken.

No action taken.

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. No action taken.

No action taken.

e. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Town Manager.

Councilmember Martin moved to authorize the Mayor of Flower Mound to execute an amendment to the Town Manager’s employment agreement to extend his residency requirement date to June 3, 2022. Mayor Pro Tem Bumgarner seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: SCHIESTEL, SHARMA, BUMGARNER, ENGEL, MARTIN

NAYS: NONE

- f. Discuss and consider appointment of an additional Alternate Municipal Court Judge, including job duties and responsibilities, and all matters incident and related thereto.

Deputy Mayor Pro Tem Sharma moved to approve an ordinance appointing Alissa Janke as Associate Municipal Court Judge, and with the same terms and conditions of the current Alternate Municipal Court Judge, subject to her offer acceptance. Mayor Pro Tem Bumgarner seconded the motion.

ORDINANCE NO. 26-22

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS APPOINTING AN ASSOCIATE JUDGE OF THE MUNICIPAL COURT OF RECORD IN THE TOWN OF FLOWER MOUND; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

AYES: MARTIN, ENGEL, BUMGARNER, SHARMA, SCHIESTEL

NAYS: NONE

O. ADJOURN REGULAR MEETING

Mayor France adjourned the meeting at 8:53 p.m. on Monday, May 2, 2022, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

DEREK FRANCE, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY