

THE FLOWER MOUND TOWN COUNCIL REGULAR AND WORK SESSION MEETING HELD ON THE 21ST DAY OF MAY, 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 and work session with the following members present:

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:

Anne Carnes	Executive Assistant
Theresa Scott	Town Secretary (participating remotely solely for the purpose of transcribing the minutes)
Bryn Meredith	Town Attorney
Jimmy Stathatos	Town Manager
Tommy Dalton	Assistant Town Manager
Lexin Murphy	Director of Planning Services
Matthew Woods	Director of Environmental Services
Joelle Hainley	Building Official

**A. CALL REGULAR MEETING TO ORDER**

Mayor Dixon called the work session to order at 6:00 p.m.

**B./C. INVOCATION/PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG**

Councilmember Pierson 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.*

	<b>Speaker names and address</b>	<b>Subject (as written on the form)</b>
1.	Don McDaniel, 3801 Hide A Way Ln	Work Session

**E. ANNOUNCEMENTS**

1. Announce recent and upcoming civic and social events.

There were no announcements.

**F. FUTURE AGENDA ITEMS**

There were no requests for future agenda items.

**G. COORDINATION OF CALENDARS**

Mayor Dixon announced the following upcoming meeting:

1. A regular meeting is scheduled for Monday, June 1.

**H. CONSENT ITEM**

This part of the agenda consists of non-controversial or "housekeeping" items required by law. Items may be removed from Consent by any Councilmember by making such request prior to a motion and vote.

1. Consider approval of the minutes from a regular meeting of the Town Council held on May 18, 2020.

Mayor Dixon moved this item to the June 1, 2020, council meeting.

**I. ADJOURN REGULAR MEETING (6:05pm)****J. CALL WORK SESSION TO ORDER (6:06pm)**

2. Discuss and receive direction on regulating short-term rentals.

Mr. Dalton gave a presentation identifying or noting:

- Previous discussion summary
- Administration Ordinance
- Ordinance structure
- Regulations
- Code enforcement history
- Types of complaints
- FMPD history
- 3<sup>rd</sup> party monitoring

and he, Mr. Stathatos, Mr. Woods, or Mr. Meredith responded to the following questions from Council:

- If the Town has existing ordinances that address the complaints identified
- If the police department tracks the applicable complaints already
- Differentiating between homeowner property rights and those owned by a company
- The cost of 3<sup>rd</sup> party monitoring
- How does staff handle a home with multiple complaints over a five year period – is there a remedy and how is it enforced
- Clarification regarding the notice of violation process

**Council Discussion**

There was Council discussion regarding:

- The possibility of the Police Department flagging addresses that are short term rental and that information would be known because there would be a permit that identifies such
- Concerns regarding homeowner property rights and if creating a short term rental ordinance is an overreach

- The cost associated with listing a property on a rental site and how most people will do rentals for an extended period to make it cost effective
- Legal concerns regarding some of the regulations
- Advantages of a permit or SUP
- What other cities are doing
- How a ban against short term rentals presents legal concerns and doesn't work
- Adding a process takes more work for little value
- How 60-65% of the Town has an HOA and those bylaws already don't allow short term rentals
- Concerns regarding the appeal process
- How the topic is a dead issue and would like to move on to more pressing matters
- Suggested the Town Attorney provide language that could be presented to HOA's should they wish to take action on the matter

#### **Council Direction**

Mayor Dixon summarized that the direction of Council is to:

- Not regulate short term rentals or amend the definition of a boarding house/rooming house in the zoning ordinance to clarify that legislatively it is not a short term rental
- Enforce the ordinances that are already on the books

#### **K./L. 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.

**Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda.**

#### **M. ADJOURN WORK SESSION**

Mayor Dixon adjourned the work session at 6:55 p.m. on Thursday, May 21, 2020, and all were in favor.

**TOWN OF FLOWER MOUND, TEXAS**

*Steve Dixon*

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**STEVE DIXON, MAYOR**

**ATTEST:**

*Theresa Scott*

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**THERESA SCOTT, TOWN SECRETARY**