

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 19<sup>TH</sup> DAY OF OCTOBER 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 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:

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
Debra Wallace	Interim & Deputy Town Manager/CFO
Tommy Dalton	Assistant Town Manager
Lexin Murphy	Director of Planning Services
Tiffany Bruce	Executive Director of Public Works
Andy Kancel	Police Chief

**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.*

	<b>Speaker names and address</b>	<b>Subject (as written on the form)</b>
1.	Paul Stone, 4100 Broadway	Items 15 and 16
2.	Yvette Elliott, 1309 Homestead*	Hate has no home here
3.	Diane Beck, SPAN, 1800 Malone St, Denton, TX	SPAN Meals on Wheels

*\*Submitted a speaker card but did not come forward when called*

**E. ANNOUNCEMENTS**

Several members of Council condemned the messages of hate in response to various postings in the community as was reported to them. Chief Kancel provided background information on the group that posted the messages and outlined steps the Police Department is taking to deter this this type of activity.

Councilmember Engel provided a voter turnout update.

Mayor Pro Tem Sharma announced that the Town is accepting nominations for the annual Outstanding Citizenship Award.

**F. TOWN MANAGER'S REPORT**

Ms. Wallace provided an update on the following projects:

1. Capital improvement projects
  - Peter's Colony round about now open
2. Economic Development projects
  - Now open or coming soon businesses
3. Financial update
  - October sales tax receipts report
4. Mixed-use regulations

Ms. Wallace pointed out that there were recent news articles related to mixed use development, which prompted various questions on social meeting. For that reason, Mr. Dalton gave a presentation identifying or noting:

- Mixed use master plan category
- Land use plan
- Mixed use zoning regulations
- Non-residential uses
- Residential uses allowed
- Mixed use designations

Mayor Dixon requested the Town Attorney provide the Council with information about Rule 11.

**G. FUTURE AGENDA ITEMS**

1. There were no items requested.

**H. COORDINATION OF CALENDARS**

Mayor Dixon announced the following upcoming meeting dates:

1. A regular meeting is scheduled for Monday, November 2.
2. A regular meeting is scheduled for Monday, November 16.
3. A work session is scheduled for Thursday, November 19.

**I. CONSENT ITEMS**

1. Consider approval of the minutes from a regular meeting of the Town Council held on October 5, 2020, and approval of the minutes from a joint Town Council/Planning and Zoning work session held on October 15, 2020.
2. Consider approval to utilize the handyman contract pricing with Unlimited Hotel Services, Inc. for services performed on the Police Department CID and Jury Room Renovation Project.
3. Consider approval to increase the contract funding for additional grounds maintenance and landscape services performed by American Landscape.
4. Consider approval of an ordinance amending Chapter 18, "Businesses," Article III "Food and Food Establishments," and Article IV "Solicitation Activities," of the Code of Ordinances of the Town of Flower Mound, Texas, by amending Section 18-91, "Definitions," and adding a new Section 18-127, "Ice Cream Trucks," to define and establish permit requirements and regulations for ice cream trucks, by amending Section 18-267, "Solicitation on public property," to allow designated mobile food vendors to operate within the public rights-of-way, and by amending Appendix A "Fee Schedule," relative to adding a permit fee.

**ORDINANCE NO. 32-20**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 18, "BUSINESSES," OF THE TOWN'S CODE OF ORDINANCES, SECTION 18-91, "DEFINITIONS," TO ADD DEFINITIONS TO REGULATE ICE CREAM TRUCKS; ADDING SECTION 18-127, "ICE CREAM TRUCKS," TO ESTABLISH REGULATIONS FOR ICE CREAM TRUCKS; AMENDING SECTION 18-267, "SOLICITATION ON PUBLIC PROPERTY," TO ALLOW ICE CREAM TRUCK VENDORS TO OPERATE WITHIN THE PUBLIC RIGHTS-OF-WAY; 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.**

5. Consider approval of the purchase of three (3) Chevrolet Tahoe Police Pursuit Vehicles with Equipment and Patrol Application (turn-key units) per Town of Flower Mound Specifications and Vendor Quote from Holiday Chevrolet for Police Services in the amount of \$176,678.00
6. Consider approval of a resolution declaring expectation to reimburse water and sewer project expenditures with proceeds of future debt and authorizing the preparation of the documents associated with the issuance, sale, and delivery of the debt obligations; and providing an effective date.

**RESOLUTION NO. 21-20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, DECLARING EXPECTATION TO REIMBURSE WATER AND SEWER PROJECT EXPENDITURES WITH PROCEEDS OF FUTURE DEBT, AND AUTHORIZING THE PREPARATION OF THE DOCUMENTS ASSOCIATED WITH THE ISSUANCE, SALE AND DELIVERY OF THE DEBT OBLIGATIONS; AND PROVIDING AN EFFECTIVE DATE.**

7. Consider approval of an Interlocal Cooperation Agreement with Denton County for the provision of library services for the benefit of the citizens of Denton County, and authorize the mayor to execute same on behalf of the Town.
8. Consider approval of a fee agreement with City of Lewisville for use of the Jerry R. Galler Public Safety Training Center for the purpose of firearms training and annual qualifications, and authorization for the Mayor to execute same on behalf of the Town.
9. Consider approval of a Professional Services Agreement with Jacobs Engineering Group for design phase services associated with the US 377 and FM 1171 Water Line Loop / Relocation project in the amount of \$134,000.00; and authorization for the Mayor to execute same on behalf of the Town.
10. Consider approval of a Professional Services Agreement with ECS Southwest, LLP to provide construction materials engineering and testing, for the Garden Ridge Boulevard Water Line Phase II project, in the amount of \$21,853.00; and authorization for the Mayor to execute same on behalf of the Town.
11. Consider approval of a License Agreement with Sankey, Ltd. to allow for vehicle parking on park property; and authorization for the Mayor to execute same on behalf of the Town.
12. Consider approval of a Service Contract with The Christmas Light Company, Inc., in an annual amount not-to-exceed \$55,100, to provide holiday lighting services at the Community Activity Center; and authorization for the Mayor to execute same on behalf of the Town.
13. Consider approval of the sale and consumption of alcoholic beverages (beer and wine) at Bakersfield Park, during the 2021 Independence Fest (The Parks Board recommended approval by a vote of 6 to 0 at its September 3, 2020, meeting).

Mayor Pro Tem Forest moved to approve by consent Items 1 – 13, as presented in the agenda caption. Councilmember Bumgarner 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: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON**

**NAYS: NONE**

**J. REGULAR ITEMS**

14. Consider approval of a Construction Agreement with Archer Western Construction, LLC the Stonehill Pump Station Discharge Valve Replacement and 10 MG Ground Storage Tank Rehabilitation project, in the amount of \$1,027,000.00; and authorization for the Mayor to execute same on behalf of the Town.

**Staff Presentation**

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

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

**VOTE ON MOTION:**

*Motion passed*

**AYES: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER**

**NAYS:**

15. Consider creation of a protocol regarding public comments made by a board or commission member directed toward members of Council. (No packet content - Presentation only)

**Council Discussion**

There was Council discussion regarding:

- Clarification that the intent for the discussion on this topic is within the context of board and commission members and not the general public
- Process options to resolve issues between members of Council and board or commission members and vice versa
- Clarification regarding the problem that needs resolved
- Past example of a conflict and how it was resolved
- How the Town's Ethic's ordinance addresses many of the concerns and that information is discussed during the in-house training

And Mr. Meredith responded to questions from Council regarding:

- If there is a written policy as it relates to conflict resolution for board and commission members

There was Council direction to formalize in writing that the in-house training be a requirement upon acceptance of a position on a Town board or commission.

16. Consider creation of a voting record document for Town Council and/or board and commission members. (No packet content - Presentation only)

**Staff Presentation**

Ms. Scott gave a presentation identifying or noting:

- Background information
- Guideline considerations
- Voting record report example

and she responded to the following questions from Council:

- How many people over the years have asked for voting record information
- How much staff time is involved to

**Council Discussion**

- Interest in having the voting record information more readily available outside of the minutes

There was Council direction to create a searchable voting record report starting with the next election.

**K./L. CLOSED/OPEN MEETING**

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

- a. Consultation with Attorney as follows:
- 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 economic development incentives, including retail centers, corporate relocation/expansion/retention, senior housing, hospitality projects, and performance related to certain incentive agreements.
- d. Discuss and consider the recruitment process for the Town Manager, and all matters incident and related thereto.

**N. ADJOURN REGULAR MEETING**

Mayor Dixon adjourned the meeting at 7:07 p.m. on Monday, October 19, 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**