

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 15th DAY OF NOVEMBER, 2010 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.

The Town Council met in a regular meeting with the following members present:

Melissa Northern	Mayor
Al Filidoro	Mayor Pro Tem
Tom Hayden	Deputy Mayor Pro Tem
Steve Dixon	Councilmember Place 1
Mike Wallace	Councilmember Place 3 (arrived at 7:30 p.m.)
Steve Lyda	Councilmember Place 4

constituting a quorum with the following members of the Town Staff participating:

Harlan Jefferson	Town Manager
Cindi Price	Administrative Assistant
Alan Lathrom	Town Attorney
Chuck Springer	Assistant Town Manager/Chief Financial Officer
Kent Collins	Assistant Town Manager
Gary Sims	Executive Director of Community Services
Doug Powell	Executive Director of Development Service
Kenneth Brooker	Police Chief
Eric Metzger	Fire Chief

A. CALL BRIEFING SESSION TO ORDER

Mayor Northern called the briefing session to order at 6:08 p.m.

B. BRIEFING SESSION

1. Town Council Boards and Commissions Subcommittee Reports

Councilmember Dixon said the PALS Board met last week, but since Council had a meeting to interview people for Town Secretary, he did not know what they did.

Councilmember Lyda said on November 2 he met with the ECC. They elected a new chair and vice chair, and discussed the goals of the ECC for the upcoming year. He congratulated Freddie Guerra on being elected chair. He said on November 9 he attended the Transportation Commission regular meeting. They took a crack at the first appeals to the 25 mph residential speed limit process. They discussed the transportation plan for the upcoming Super Bowl. They had a presentation on the quarter cent sales tax. They talked about the new traffic devices at West Windsor. They received an update on the Morriss-Gerault project, as well as the oil and gas maintenance agreement that would be coming forward to a future meeting. They also elected a new chair and vice chair. He congratulated Mike Walker on being elected chair. He said he also attended the Board of Adjustment meeting on November 10. They heard one case about a variance on fence height which was granted.

Mayor Pro Tem Filidoro said on December 14, they were instituting a new quarterly meeting. For the first meeting they would be meeting with every chair and vice chair of the boards and commissions together. They had appointed good people who had spent a lot of years working hard and who had a lot of collective knowledge, not just in the area of the board they were on, but in the area of other things in the community. So, they were going to have a

round table discussion and talk about what was going on with the boards and commissions. They had worked hard to do some revitalization and some bottom-up management, and wanted to give everyone a chance to voice their ideas.

Mayor Northern said last Sunday was the 12th Annual Veterans Day at Flower Mound High School. Lieutenant Colonel Patrick Martin, Jr. of the U.S. Army Reserves served as key note speaker. It was a wonderful event. There were a lot of participants. Reverend Pratt from the Flower Mound Community Church gave the invocation. The Junior ROTC posted the colors. Residents had a chance to see the Fallen Soldiers of Denton County Memorial, which was worth seeing. She thanked everyone for attending. Those who could not attend should go next year, because they would get to see a great big helicopter. On Tuesday she celebrated with the Marcus band, who won their third consecutive state championship. On Wednesday she had the **Mayor's 12 at 12 at Cristina's**. They had a great turnout, and it was a wonderful afternoon. She did that with the Flower Mound Chamber of Commerce. They got together and chatted about businesses' concerns and suggestions, and things that might impact them. On Thursday she had the honor of participating in the Veterans Day event at Flower Mound Elementary. The Falcon Singers were there, and they were great. On Friday she had the honor of going to the Dallas Regional Chamber, where Texas Health Presbyterian Hospital was presented with the Corporate Momentum Award. On Saturday was **Dorothy's Dash**, which was in honor of Dorothy Walkup, a former employee at the Town. That event was to sponsor MS, and they had a great turnout. About 800 people from all age groups came and participated in the event, and it was absolutely fabulous. She thanked the citizens' police force for helping with that.

2. Discuss Consent and Regular Items

No discussion.

3. Discuss Future Agenda Items

No discussion.

4. Discuss Council Communications

Town Manager Harlan Jefferson said they were sent a Council Communication dealing with the complete streets review, and the feedback received was to direct that to the Transportation Commission. Since their next meeting was scheduled for January 11, they would discuss it with them then. If they received a recommendation, they would discuss it with Council at their strategic planning session later that month. The other Council Communication dealt with flooding along Timber Creek and was for information purposes only. It was to give them some background related to the ordinance. He would be happy to answer questions related to either of those items.

C./D. ADJOURN BRIEFING SESSION AND CALL REGULAR MEETING TO ORDER

Mayor Northern adjourned the briefing session and called the regular meeting to order at 6:17 p.m.

E. INVOCATION

Chaplain Mark Sherrill gave the invocation.

F. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG

Chaplain Mark Sherrill led the pledges.

G. PRESENTATIONS

- **Proclamation - Arbor Day**

Mayor Northern read the proclamation and asked Jared Martin to provide some additional information about Arbor Day.

Mr. Martin said National Arbor Day was typically celebrated in April, but it started getting warm in Texas in April, so the Town had decided to have Arbor Day in November. They had done that for several years. It was a good time to kick off the planting season. Anytime the trees were dormant was a good time to plant trees. Staff would be working with the second-grade students at Garden Ridge Elementary School on Wednesday for Arbor Day, teaching them about trees. They would give them some seedlings, and also plant a tree at their school.

Mayor Northern asked him to explain his role with the Town.

Mr. Martin said he was the Urban Forester. He mainly worked with builders and developers to preserve trees in town and enforce the tree ordinance. He also did environmental surveys and helped to provide education on environmental topics, natural resources, and trees.

- **Friends of the Flower Mound Library**

Angie Cox said she was the current President of the Friends of the Flower Mound Library. She introduced other members standing with her, Leland Mebine, Carol Kohankie, Jack Tiller, and Kay Burrow. She then introduced Sue Compton, the Director of Library Services. She said it was the vision of Monica Bartholomew to start the library. She presented them with the flag that flew over the library 25 years ago. They were going to have it framed and put in the library, so they were excited about that. Kay and Bill Burrow raised \$183,000 for the library. To date, the Friends had given back over \$300,000 to the library through used book sales, events, and memberships. They could join the Friends. Senior and youth memberships were \$5; individual memberships were \$10. They also sponsored the summer reading program every year, which was a great opportunity for kids to come out and get involved with the library during the summer. Since it was the 25-year celebration, they felt it was appropriate to donate. They had a check for \$25,000 to present to the Town for the library.

Mayor Northern thanked them for all they did for the community, and said it was such a blessing. It was an amazing gift.

Sue Compton, Director of Library Services, said she was speechless. That was an amazing amount of money, and the library was going to use that to purchase books, DVDs, etc., and add to the library collection, so everyone in the community was going to enjoy it as well. She could not thank the Friends enough for all of the support they gave the library. They supported the children's reading program every summer. They could not do it without them.

H. PUBLIC PARTICIPATION

Mike Olson, 173 Scenic Ridge Drive, Weatherford

Mr. Olson said Ecology Concepts was a mixed municipal solid waste system. Building a mixed municipal solid waste processing plant would guarantee 100% participation in recycling and reduce their carbon footprint by 50%. Curbside recycling was very expensive with minimal

or negative results. It was great for the hauling company, but bad for the environment by adding more trucks on the road. Curbside seemed like a good idea, with only a nominal fee per household whether they participated or not, but if they weighed the recycled material collected and then calculated the cost, they were paying over \$500 per ton to recycle. It was cheaper and greener to landfill the collected material and build a new landfill. Ecology Concepts guaranteed all collected household garbage would be recycled. It reduced the carbon footprint by over 50% by taking garbage trucks off the roads; it recycled and composted 85% of all household garbage, thereby extending the landfill life; and it guaranteed markets for all recycled materials and compost produced. Ecology Concepts had a proven system. Its owners built and operated the first municipal processing plant in Sumter County, Florida, in 1988. The system had over 20 years of proven technology with guaranteed results. It was the only real choice for reducing the amount of waste going to the landfill. He would like a chance to give the Town a formal presentation on this type of system. He talked to the Mayor, and this was something they paid for. All they wanted was their garbage.

Tom Howard, CFO for Texas Health Presbyterian Hospital of Flower Mound

Mr. Howard said they recently won the Dallas Regional Chamber of Commerce Momentum Award. It was an award that honored companies for their impact on the economic situation in a community. Texas Health Presbyterian Hospital employed about 300 people, and they were the anchor for a lot of new growth in the community via the new medical office building that would be built next to the hospital and the 400 staff physicians at their hospital.

Mayor Northern said she, Mr. Jefferson, and Ms. Glasgow attended the awards, and it was a wonderful afternoon and a great win for the hospital. This award specifically was growth, location, and expansion, and the improvement of those things in a community. She thanked Texas Health Resources and the Presbyterian Hospital, and said they appreciated their business in the Town.

Mary Kay Walker, 3229 Oak Meadow, Flower Mound

Ms. Walker thanked Council members Wallace, Lyda, and Hayden, along with Scot Baker, for participating in the SIM fundraiser Friday night and playing Family Feud. Town staff members Dawn Garber, Chuck Jennings, and Jeff White, along with SIM board member Bill House, were victorious over the Council team, but they almost pulled it out in the end. It was truly a fun night and a great event. Host Paul Stone kept the game fun and enjoyable. The real winners were the seniors of Flower Mound. She had a \$1,000 check to give to the Town. The donation was being made by Glen Faulkner to pay for a sign for their new senior center that would be located outside of Town Hall. It had been a dream of Mr. **Faulkner's** for some time that they have a stand-alone senior center. He had also given her a gift to give to Mr. Jefferson that evening. Mr. Faulkner said he no longer needed it, since his dream of a center was finally becoming a reality. He promised to give the t-shirt to Mr. Jefferson at his doorstep whenever there was a senior center.

Town Manager Harlan Jefferson said thank you very much.

I. MAYOR AND TOWN COUNCILMEMBER ANNOUNCEMENTS

- **Announcements and brief discussion regarding recent and upcoming civic and social events, traffic issues, informational updates on Town projects, capital improvement projects, reports about contacts with other groups and/or individuals about Town issues and projects, Town legislative and regulatory issues, informational responses to questions, and information sharing.**

Councilmember Dixon said Councilmember Wallace was not there because his daughter, Bailey, had fallen and cracked some front teeth. She was at the dentist having them removed or worked on, so their thoughts and prayers were with the family.

Deputy Mayor Pro Tem Hayden first wished his wife a happy birthday. He then said Santa Cops was started by Officer Stephen Caldwell four years ago. It helped provide a Christmas for children and families in Flower Mound who were in need. Last year, they helped 40 families and over 120 children. They helped several foster parents who had a large number of foster kids; a family whose home had been destroyed by fire and they were struggling to get back on their feet; a single mother with five children living in a three-bedroom apartment who was working three jobs after the father abandoned the family; a family where the kids recently lost both their mother and father and were struggling to make ends meet; and also a father and mother who lost their jobs and moved in with grandparents. With the current economic times, Santa Cops needed to help Flower Mound as much as ever. They were looking for donations and toys. Drop off locations were at both Kroger stores, the fire station, the library, Town Hall, and the police station. So, if they had an opportunity, it was a great organization. Also, for the last 30 years, a friend of his, Fred Placke, had gone to a center in West Texas called New Horizons, which was for children who had been sexually and physically abused. When Mr. Placke was playing football at Tarleton State University, he decided that he was going to make sure this organization had one day every year that was special. Every year he had gone down and spent the day bringing Christmas gifts and helping the kids that were having difficult times. This year it was December 18. Because of the economic conditions, the organization was also having a difficult time, so there were things they could use. He went last year, along with almost 100 students from Flower Mound high schools, the Flower Mound Rosettes, members of the soccer team and football team, Paul Moon, the Principal at Flower Mound High School, and Professor Khan, the physics professor at Marcus, who had been going for the last 16 years. It did more for the people going and being able to give than the kids actually receiving. Mr. Placke needed a lot of help, so again if they had the opportunity, either financially or with gifts, or wanted to go, they should contact him, and he would set them up with Mr. Placke.

Mayor Pro Tem Filidoro said since their next meeting was in December, he wanted to wish everyone a happy Thanksgiving. This was a time for families to get together to pause and reflect and give thanks for what they had instead of what they did not have. If their family was out of town, it was a great time to place a call, and to put an extra place at the table for loved ones that were gone. Hopefully, they would take that time before rushing into the Christmas season. He thought the sales started the day after Thanksgiving at 7:00 a.m. He asked everyone to please shop Flower Mound first, even if it cost a little more. If they could not find something, they should get it on the internet. They did not want to give any money to anybody else. They had spent a lot of years trying to build up their merchant base, and continued to do that, so if they could get all of their shopping done without leaving town, that would be great. But again, on Thanksgiving, they should spend a moment to give thanks for their community, their family, their friends, their health, and their blessings.

Councilmember Lyda said to follow along with that, if they shopped at the Best Buy in Flower Mound, they were also helping create jobs because the distributorship was also in Flower Mound. The Wellington PTA was having a Thanksgiving turkey drive November 15-19. This was the fifth one they had done to support the Christian Community Action in Lewisville. They were collecting frozen turkeys, stuffing mix, canned corn, evaporated milk, jiffy bake mix, pumpkin pie filling, chicken broth, flour, and sugar. They did not have to get out of their car, just swing by the school and volunteers would be out front during the morning drop-off time. Earlier that day, the last part of Spinks was opened, so now they could travel it all the way from 2499 to Edmonds. It was a new east-west connector. They now had a southern entrance to

Bakersfield and Gerault parks, and that road would also serve as the southern edge of the new park they were developing on the Wilson-Ruff-Carmel tract, so it was a very exciting day in Flower Mound.

Mayor Northern agreed it was a beautiful day out there. She said if they had a chance to go out and look at the fabulous bridge, the fall colors were perfect. On Thursday she and Councilmember Filidoro would be testifying at the House Energy Resources Committee. On November 29 at 6:30 p.m. the Sign Regulation Committee was holding a public meeting, so if they had concerns or wanted to offer solutions about the sign regulations in Flower Mound, they should attend that meeting. Tomorrow evening was the Property Standards Committee meeting at Town Hall at 7:00 p.m. Also, on the note of holidays and traveling, if they did not have neighbors or friends that could check on their house, they could call the Police at 972-874-3357 and request that they drive by and check on their house while they were out of town.

J. TOWN MANAGER'S REPORT

- **Update and status report related to operational issues, capital improvement projects, budget projections, grants, legislation, and regulatory activities.**

Town Manager Harlan Jefferson said the Town was notified in October that they received an award for Fire Station No. 4. It was the Silver 2010 Station Style Design Award through the Fire Chief publication. Last week, they were notified they received a second accolade, this time for Fire Station No. 5. It was the 2010 Fire Station Design Merit Award issued by the Fire Industry Equipment Research Organization. The application was submitted by the architect, Wiginton Hooker Jeffrey. He thanked them for their fine work on both stations, as well as submission of the application. He also expressed his appreciation to Chief Metzger and his staff for not only contributing during the design, but also monitoring the construction of the station. He appreciated their hard work.

Mr. Jefferson then gave a brief presentation on Spinks Road Phase IV.

Mr. Jefferson said this was the first project that went into construction with some of the Denton County Trip Funding, as well as the Regional Toll Revenue Funds, and the first one to be completed. It was the fourth leg of the roadway, and it went from Garden Ridge to Duncan Road, which was the boundary with Lewisville. It helped them to traverse through Lewisville and connect with State Highway 121. It was awarded in June 2009, and the hallmark was the double bridge design. Staff members walked the area to identify ways to minimize tree removal, the length of the road, the impact on the budget, and to work with the property alignment between Garden Ridge, Spinks III, and Duncan. They came up with the double bridge solution that worked really well. There were no sidewalks, but those would be within the Garden Ridge project. The rail treatment, which was a design currently being used in California, was a great aesthetic treatment. It had stone in it and also a protective barrier. The stone was neutral and matched the whole Lakeside Business Park area, as well as Town facilities in the Bakersfield area, the fleet facility, and the fire station.

Councilmember Lyda said Lewisville was currently working on the intersection of Edmonds and Spinks Road, so they needed to avoid that area. Garden Ridge would eventually be another north-south connector that would go all the way from Lakeside Parkway to FM 407. That was under construction, and they looked forward to that being completed, as well. He knew Mr. Jefferson liked to take credit for this road, both in Flower Mound and in Lewisville, and it was credit well due. He hoped people would go out there and take a look, and find another way home. This was a very exciting improvement for Flower Mound.

Town Manager Harlan Jefferson said in terms of taking credit, he tried to find someone in the Engineering Department to thank personally, but they said they did it as a team. It was a tribute to the great work that Kent Collins and his folks did out there. They expected something great. It looked great on paper, but that paled in comparison to seeing the actual road.

K. CONSENT ITEMS

Mayor Pro Tem Filidoro pointed out that they were cancelling the December 20th meeting and calling a special meeting on the 16th. That way everyone would be in Town. They were also cancelling the January 3rd and 17th meetings and calling a special meeting on January 20th. This was what they normally did during the holidays. If there was any emergency, they could always call a meeting within 72 hours notice. Also, they were cancelling the February 21st meeting and calling a special meeting on February 17th.

Mayor Pro Tem Filidoro made a motion to approve by consent Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14. Deputy Mayor Pro Tem Hayden seconded the motion. Each item, as approved by consent, is restated below along with the approved recommendation for each, for the record.

- 1. Consider approval of minutes from a regular meeting of the Town Council held on October 18, 2010.**

RECOMMENDATION: Approve the minutes from a regular meeting of the Town Council held on October 18, 2010.

- 2. Consider approval of minutes from a work session of the Town Council held on October 21, 2010.**

RECOMMENDATION: Approve the minutes from a work session of the Town Council held on October 21, 2010.

- 3. Consider approval of minutes from a regular meeting of the Town Council held on November 1, 2010.**

RECOMMENDATION: Approve the minutes from a regular meeting of the Town Council held on November 1, 2010.

- 4. Consider approval of cancelling the December 20, 2010 regular meeting of the Town Council and calling a special meeting on December 16, 2010.**

RECOMMENDATION: Approve cancelling the December 20, 2010 regular meeting of the Town Council and calling a special meeting on December 16, 2010.

- 5. Consider approval of cancelling the January 3, 2011 and January 17, 2011 regular meetings of the Town Council and calling a special meeting on January 20, 2011.**

RECOMMENDATION: Approve cancelling the January 3, 2011 and January 17, 2011 regular meetings of the Town Council and calling a special meeting on January 20, 2011.

- 6. Consider approval of cancelling the February 21, 2011 regular meeting of the Town Council and calling a special meeting on February 17, 2010.**

RECOMMENDATION: Approve cancelling the February 21, 2011 regular meeting of the Town Council and calling a special meeting on February 17, 2011.

- 7. Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning on October 1, 2010, and ending on September**

30, 2011, as adopted by Ordinance No. 59-10 for adjustments to the General Fund and Park Development Fund.

RECOMMENDATION: Approve an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning on October 1, 2010, and ending on September 30, 2011, as adopted by Ordinance No. 59-10 for adjustments to the General Fund and Park Development Fund. The caption of the ordinance reads as follows:

ORDINANCE NO. 69-10

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2010, AND ENDING ON SEPTEMBER 30, 2011, AS ADOPTED BY ORDINANCE NO. 59-10; FOR ADJUSTMENTS TO THE GENERAL FUND AND PARK DEVELOPMENT FUND; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

8. **Consider approval of a resolution to enter into an Interlocal Agreement with the Texas Department of Motor Vehicles (TxDMV) for the implementation of the Scofflaw program, and authorization for the Mayor to execute same on behalf of the Town.**

RECOMMENDATION: Approve a resolution to enter into an Interlocal Agreement with the Texas Department of Motor Vehicles (TxDMV) for the implementation of the Scofflaw program, and authorize the Mayor to execute same on behalf of the Town. The caption of the resolution reads as follows:

RESOLUTION NO. 26-10

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TX, APPROVING AN INTERLOCAL GOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF FLOWER MOUND AND THE TEXAS DEPARTMENT OF MOTOR VEHICLES RELATING TO MOTOR VEHICLE REGISTRATION REFUSAL PURSUANT TO SECTION 702.003 OF THE TEXAS TRANSPORTATION CODE.

9. **Consider approval of an Interlocal Agreement with the Denton County Tax Assessor-Collector (Denton County) for the implementation of the Scofflaw program, and authorization for the Mayor to execute same on behalf of the Town.**

RECOMMENDATION: Consider approval of an Interlocal Agreement with the Denton County Tax Assessor-Collector (Denton County) for the implementation of the Scofflaw program, and authorize the Mayor to execute same on behalf of the Town.

10. **Consider approval of the Town's Group Health Plan design changes as mandated by the Patient Protection Affordable Care Act (PPACA).**

RECOMMENDATION: Approve the Town's Group Health Plan design changes as mandated by the Patient Protection Affordable Care Act (PPACA).

11. **Consider acceptance of a Texas Department of Public Safety Sub-Recipient Award under the Fiscal Year 2010 Homeland Security Citizens Corps Grant Program, and authorization for the Mayor to execute same on behalf of the Town.**

RECOMMENDATION: Accept a Texas Department of Public Safety Sub-Recipient Award under the Fiscal Year 2010 Homeland Security Citizens Corps Grant Program, and authorize the Mayor to execute same on behalf of the Town.

12. **Consider acceptance of a Texas Department of Public Safety Sub-Recipient Award, under the Fiscal Year 2010 State Homeland Security Grant Program, and authorization for the Mayor to execute same on behalf of the Town.**

RECOMMENDATION: Accept a Texas Department of Public Safety Sub-Recipient Grant Award, under the Fiscal Year 2010 State Homeland Security Grant Program, and authorize the Mayor to execute same on behalf of the Town.

13. **Consider approval of the award of Competitive Sealed Bid No. 1-11-B, to Smith Contracting, Inc., for the construction of phase four of the CDBG - Sunrise Circle Paving Improvements project, in the amount of \$200,805.00, and authorization for the Mayor to execute same on behalf of the Town.**

RECOMMENDATION: Approve the award of Competitive Sealed Bid No. 1-11-B, to Smith Contracting, Inc., for the construction of phase four of the CDBG - Sunrise Circle Paving Improvements project, in the amount of \$200,805.00, and authorize the Mayor to execute same on behalf of the Town.

14. **Consider final acceptance of the Hilltop Walkways and Wilkerson Park Parking Lot projects, for a final payment to Jay Davis Co., Inc., dba JDC Construction Co., in the amount of \$10,399.47.**

RECOMMENDATION: Accept the Hilltop Walkways and Wilkerson Park Parking Lot projects, for a final payment to Jay Davis Co., Inc., dba JDC Construction Co., in the amount of \$10,399.47.

VOTE ON THE MOTION

AYES: Dixon, Hayden, Filidoro, Lyda
NAYS: None
ABSENT: Wallace

Town Manager Harlan Jefferson mentioned that **Wednesday's** Oil and Gas Board of Appeals meeting was canceled because of an error with the noticing for both applications. Those items would be re-noticed and discussed at their December meeting.

Mayor Northern said, so **Wednesday's** Oil and Gas Board meeting was cancelled, and it would be take place on Wednesday, December 15.

L. REGULAR ITEMS

15. **Consider approval of naming the temporary senior center located at 2121 Cross Timbers Road the Seniors In Motion Social Center. (The Parks, Arts and Library Services Board recommended approval by a vote of 4 to 0 at its September 9, 2010, meeting.)**

Chuck Jennings, Recreation Superintendent, said it was an exciting time for the Seniors-In-Motion Program, as well as the seniors and Town staff. They hoped to be in the building by

the end of May, as long as everything went well. This item was to put a name on the building. The Town's ordinance explained what a park or facility could be named after, such as streets, geographic locations, events, historical figures, local, state, or national leaders, or residents who perished in the line of duty. In addition, they could be named for groups or individuals where major donations of land, funds, or other exceptional contributions toward development, maintenance, or operations of a park or facility had been made. The ordinance also talked about the process. The process was that there was a recommendation to name the building. It went to the PALS Board, and the PALS Board Chair nominated a naming committee. That committee met and made a recommendation to the PALS Board. The PALS Board then approved the recommendation and forwarded it to the Town Council for consideration and final decision.

Mr. Jennings gave a brief presentation to review the background.

Mayor Pro Tem Filidoro said he thought it was wonderful for them to finally have an interim senior center. It was only the first of what they were going to do, as finances got better and the economy got better. A senior center was the next major thing on the list. Seniors had been looking forward to it for a long time; they had all been looking forward to it. He thought it would add a lot to the community. In the interim, they had an opportunity to take the old town hall and turn it into an interim center. It would provide a lot of good opportunities, including regular meals rather than just once a month, a commercial kitchen, room for dancing, and a lot of other things the seniors asked for. His comments were not about that, but about the naming of the center. When he thought of seniors in Flower Mound, the first person he always thought of was Shirley Voirin. His grandmother came to live with him for six months in the early 90s, and he was single and living alone. His grandmother was a lot older, and he was not sure what to do. There was no program in Flower Mound, but there was the Lewisville Senior Center. They welcomed Flower Mound residents with open arms. The first person he met there was Shirley Voirin, who really helped him a lot in taking care of his grandmother. Ms. Voirin had been a community activist and long-time senior activities proponent. There were many people who were deserving of this, a lot of seniors that had worked very hard for a senior center, but in his mind, in the 20 years he had been here, Ms. Voirin had been a pioneer. She had served on the library board, historical commission, Keep Flower Mound Beautiful, and the blue ribbon commission that established Gerault Park. She was an election judge for 14 years and a charter member of the Seniors-In-Motion. Before she came here, she was a former director of the Lewisville Senior Center, where she helped streamline the meals-on-wheels program for the homebound elderly. The Lewisville Center thrived under her leadership. In the past, she spent 30 years with non-profit human services agencies in North Dakota. When SIM was established in 2003, Shirley Voirin was the first president, and she served in that capacity for four years. In that capacity, the membership grew to over 600 people. Ms. Voirin had worked tirelessly for over 20 years. He was sure she had seen a lot of disappointments since she had been here. Those disappointments were shared, of course, by a lot of seniors that wanted their own building. Had finances been better he thought they would have had it already. So, they were excited about this interim opportunity, and because of the works and deeds of Shirley Voirin, he could find no better fitting person to name the new center after, the Shirley Voirin Social and Senior Center.

Deputy Mayor Pro Tem Hayden said a couple of years ago, the Council told staff it was time to get serious about this, and they needed to find a stand-alone place for the seniors. They had been talking about it long enough. Even during a difficult economic time, the staff found a solution, so he was very grateful to Mr. Jefferson and his staff. For longer than the 16 years he had lived in Flower Mound, Shirley Voirin had been working to have a senior center in Flower Mound. Flower Mound Seniors first began in 1991, and Shirley Voirin was the first coordinator.

In 1991, she started pushing for a stand-alone senior center. What impressed him the most was that 20 years later she continued to push every day, and had not given up. It was a testament of perseverance that she continued to push, and he was glad they were finally at this point. It was not the final solution. They had much larger and grander plans on the master plan that hopefully sooner than later they would achieve. As the first president of the Flower Mound Seniors, as well as Seniors-in-Motion, he could not think of a better person to name their very first stand-alone center for than Shirley Voirin. He was very excited they were able to give her this honor. He thanked her for everything she had done for the seniors and for the Town.

Councilmember Dixon said he did not hear the recommendation in the presentation. He asked Mr. Jennings to tell the public the recommendation.

Mr. Jennings said the naming committee recommended naming it the Seniors-In-Motion Social Center.

Councilmember Dixon said he definitely agreed that Shirley Voirin was a pioneer on the Seniors-In-Motion. He asked, assuming this was a group effort, if the Seniors-In-Motion had a recommendation on this.

Mr. Jennings said one of their members was appointed to the naming committee, and at each step, he also notified the advisory board of the recommendations, and when it was coming up on the PALS Board agenda, so if they wanted to come to the meeting and provide input, they could.

Councilmember Dixon said, so the recommendation was the Seniors-In-Motion Social Center. Maybe this was a good time to give Shirley Voirin the microphone, because obviously she had heard two Council members recommend that it be named after her. [A microphone was taken to Ms. Voirin in the audience.] He asked Ms. Voirin what she thought about the recommendation to name it after her.

Shirley Voirin said she was honored and in shock. She thought that probably she was the one that should be named, but she would never ask to be named. She just felt like they were still moving one step at a time.

Commissioner Dixon said they had had a couple of conversations over the last several years about their frustration over not having a senior center. It was obviously a great thing that they were now able to put the Seniors-In-Motion group into a temporary fix. That was what they all hoped. He wanted to make sure she had the opportunity to talk to folks and let them know how she felt, so if there was anything she wanted to say, she had the microphone.

Ms. Voirin said she was terribly excited about having this little building. It would help them to grow quicker and bigger. There would be opportunities for folks who did not have a meal to come and have lunch every day, so for that she was excited. Also, the seniors seemed to like having it right in the middle of town, so they were anxious to get moving. They had to make it happen.

Deputy Mayor Pro Tem Hayden said to follow up, the PALS Board recommended the Seniors-In-Motion Social Center. They were taking part of that and just adding onto it. The name Mr. Filidoro proposed was the Shirley Voirin Social Senior Center. Again, it was just an opportunity for them to recognize somebody in the Town who had done great things for the senior community, and he thought it was a wonderful thing to give such recognition to somebody who was so deserving.

Mayor Pro Tem Filidoro moved to approve naming the temporary senior center located at 2121 Cross Timbers Road the Shirley Voirin Social Senior Center. Deputy Mayor Pro Tem Hayden seconded the motion.

Discussion on the Motion

Councilmember Lyda said he appreciated the efforts that the Seniors-In-Motion auxiliary had done in helping to get some of the initial accoutrements for the interim senior center. He was excited to see the project move forward.

Mayor Northern said the combination of the recommendation from the PALS Board and the recommendation by some of the Council members was a great compromise.

VOTE ON THE MOTION

AYES: Lyda, Filidoro, Hayden, Dixon

NAYS: None

ABSENT: Wallace

[Mayor Northern called for a five-minute break at 7:12 p.m. to give the Council an opportunity to congratulate Ms. Voirin. The meeting reconvened at 7:19 p.m.]

- 16. Consider approval of a twenty-five year lease agreement for 243 acres of park land known as Twin Coves Park from the United States Department of the Army for use as a public park, and authorization for the Mayor to execute same on behalf of the Town. (The Parks, Arts and Library Services Board recommended approval by a vote of 6 to 0 at its October 14, 2010, meeting.)**

Gary Sims, Executive Director of Community Services, gave a presentation on Twin Coves Park.

Mayor Northern said they replaced the playground equipment at other park facilities through the 4B funds. She asked if there was any way they could reutilize that equipment.

Mr. Sims said definitely they could look at the possibility of moving some of the equipment. They had two on the CIP list this year under consideration.

Deputy Mayor Pro Tem Hayden asked once the park was completed and up and running, whether the O&M cost to the Town would always be there, or if it would be a self-sustaining park and the revenues would offset the cost.

Mr. Sims said they had shown Council a concept plan of what could go in the park. If they developed a master plan for the park, they felt the park could recover its operating costs eventually. That was their goal.

Mayor Northern said she was the Treasurer of the CDC. She and John Parkinson, who was the President, met this past week with Mr. Sims and Mr. Springer to talk about the O&M for this and some of the other larger parks they were doing, which would also come out of the 4B budget. So, they would not just be doing capital, which was what they had done over the last few years, but also O&M.

Mr. Sims said one of the conditions of the lease was that any revenues generated had to go back into the park to be used to offset operating costs.

Councilmember Dixon asked about renewal provisions to the 25-year lease.

Mr. Sims said they had the option to renew. The Town would have to request a renewal, but they did not anticipate any problems in renewing the lease. Typically, once the Corps no longer operated a park and had put it out for lease, the way they were structured, they could not come back and operate that park themselves. They had to take it off their books. So, their feeling on that was "who better to operate it than the Town of Flower Mound, who was always going to be there."

Councilmember Dixon asked about the opportunity for the Town to do shoreline enhancements, like additional dockage or buildings close to the shore.

Mr. Sims said they could propose whatever they liked, but it would be subject to the Corps final approval.

Councilmember Dixon said he just wanted to make sure it was not a no-go from the beginning.

Mr. Sims said the only thing they could not do was something that would compete with them, for example, putting in a boating marina like the one that was next door to it.

Councilmember Dixon said that was fine. One thing he mentioned in the presentation was concessions, so they could consider putting in some shoreline improvement and offering concessions to the people who were utilizing the park from the land, as well as the neighbors who came up by water to meet and have a gathering place.

Mr. Sims said yes. They were open to somebody renting kayaks, selling bait, or any type of concession like that.

Councilmember Lyda said the contract gave them a provision to sublet the lease agreement, so they could sublease it as well to try to recover some of that operation and maintenance.

Mayor Pro Tem Filidoro said it was hard to overlook the fact that they had this gem, albeit somewhat misused or unused, in the Town for such a long time. Clearly, it would have been better if they were still able to have somebody operate it properly and profitably, because it was something the community and the residents really missed. Folks who were park activists talked about what a shame it was that Twin Coves Park was sitting there closed, and he agreed with them. It was a good example of the commitment they had to the parks program. It would take a lot of work, and they needed to be vigilant in looking at what they spent. He would hate to see the \$500,000 double or triple, so for a while, Council would want an assessment as they moved forward, so they would know what they were finding and if there were issues that were out there that they did not know about. They wanted to be apprised early, and not be surprised. If they could do it for what they were saying, then he thought it would be a great addition and great amenity to the residents of Flower Mound and also the surrounding areas. He supported it.

Deputy Mayor Pro Tem Hayden said what a great opportunity to have a 250-acre park in the middle of Flower Mound. With the Wilson-Carmel Park coming forward, and now with this in

a more centralized location as opposed to it being on the east, it would serve more of Flower Mound. He was looking at the pictures, and there was obviously a lot of work that needed to be done. It might be a gem, but it was a gem in the rough. He remembered Mr. Sims mentioning the certain standards. The standards it really did not meet were the standards of the residents of Flower Mound. They needed to be vigilant of cost, but when it was done, it would be a first-class park. He asked the residents to be patient because to get it up to the standards they wanted it was not going to be cheap. It would take quite a bit of money for them to get it there. Hopefully, there would be some park dedication fees and money set aside from 4B money, so it would take some time, but what a great opportunity for them to have a great park along a beautiful lake in the middle of town. It had been sorely lacking, and he was very excited to support it.

Councilmember Dixon said what he said about a gem in the rough was exactly what this was. There were very few opportunities that came before Council that were an absolute no-brainer. This was. They had the lake adjacent to the Town, and this gave them a shoreline area to create a park and access for their citizens, as well as people coming from outside of Flower Mound to utilize the park. He was so looking forward to it. This was his preferred launch to the lake, and he missed it. He thought it was the best boat ramp on the north side of the lake, so he also looked forward to being able to launch there rather than having to drive to another place.

Mayor Pro Tem Filidoro said what was also important for them to note was that this had gone along with a thawing of relations with the Corps of Engineers. For too long, they had not had any contact with them. Of course, it was Lake Grapevine because Grapevine gave them a lot of concessions to get that built, more than the Town did. He knew a lot of residents did not even know they were on Lake Grapevine. He worked with a resident last year who he had to drive down the dam road, since their office was by the airport, and she had no idea. She had been here for 17 years and never saw it. There were so many things the Town could do with that lake, like fireworks, festivals, etc., and this gave them an opportunity to do that. He thought it was clearly because of the relations that had changed between the Town and the Corps. A lot of people had worked on that, including Todd Schreiber, Paul Stone, the folks at Little Pete's, and Mr. Jefferson and his staff. He did not know if they ran out of money or what the issue was, but they now had a good relationship and what they had solely needed in this community, access to Lake Grapevine. It was a great place for recreational activities, so he was very excited about this.

Councilmember Dixon moved to approve a twenty-five (25) year lease agreement for 243 acres of park land known as Twin Coves Park from the United States Department of the Army for use as a public park, and authorize the Mayor to execute same on behalf of the Town. Councilmember Lyda seconded the motion.

Discussion on the Motion

Councilmember Lyda said this was a very brave undertaking for the Town, but he definitely thought it would pay off. It was exciting to actually have the lake associated with Flower Mound, and to make this an amenity the Town could be proud of. He knew they talked about finding a way to have a more westerly large park with the Parks Master Plan and, hopefully, this could be developed into that. It had a lot of natural area that could not be developed. He thought it would be a great amenity for the Town. One thing he wanted to point out was the work the Mayor, Mr. Filidoro, and Mr. Schreiber with the Community Development Corporation, had done, being part of the vision and the funding arm of getting this park its initial kick, as well as the dedication they and Town staff had in getting this project off the ground.

Mayor Northern said Tony Nielsen, Gary Sims, and other Town staff had worked diligently for countless hours, and they were absolutely thrilled that they were able to give this back to the community.

VOTE ON THE MOTION

AYES: Dixon, Hayden, Filidoro, Lyda, Wallace
NAYS: None

17. **Consider approval of an ordinance extending for an additional sixty (60) days the temporary suspension on the issuance of permits for certain oil and gas pipelines and natural gas centralized facilities, and related matters pursuant to Ordinance 38-10.**

Alan Lathrom, Town Attorney, said this was the one 60-day extension of the moratorium which was provided for in the petition that was adopted by Ordinance 38-10 on June 7, 2010. The extension was necessary to allow the Oil and Gas Advisory Board additional time to complete their work on the review of the Town's gas drilling ordinances, and get their work brought forward to the Council. They anticipated they would probably be back at the Council's December 6th meeting with an extension to both of the moratoria that were currently in place, and would tie those two separate moratoria together at that time, so they were not working on two separate sets of deadlines. They needed to bring that back December 6th because otherwise the moratorium, even with the 60-day extension, would expire before the Council's first meeting in January. So, it was a little bit tight, but they would add it onto the end of this particular extension.

Mayor Northern said currently, they had two moratoriums in place. This was one of the two. They would bring those back together and extend for that period. The reason they had a moratorium was because they were reviewing their oil and gas ordinances. As soon as the Oil and Gas Advisory Board finished their review, had their public meetings, brought that to the Town Council, and then the Town Council approved the new ordinance, then they would be able to lift that moratorium.

Town Manager Harlan Jefferson said they heard from the Chair of the Oil and Gas Advisory Board. He anticipated providing the recommendations in December, so the 30-day public comment period would take up all of January. They anticipated discussing the recommendations with the Council at their January work session, and then the first opportunity for the public hearing before the Council would be the first meeting in February. The first opportunity for the Council to take action would be the second meeting in February. They did not know if those dates would hit like that, but they just wanted to give them some idea of the timeframe.

Mayor Pro Tem Filidoro asked if they had the date yet for their next retreat.

Mr. Jefferson said yes, January 22.

Mayor Pro Tem Filidoro moved to approve an ordinance extending for an additional sixty (60) days the temporary suspension of the acceptance and review of any new permits associated with oil and natural gas drilling and production, pursuant to Article VII of Chapter 34 of the Town's Code of Ordinances. Deputy Mayor Pro Tem Hayden seconded the motion. The caption of the ordinance reads as follows:

ORDINANCE NO. 70-10

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, EXTENDING FOR AN ADDITIONAL SIXTY (60) DAYS THE TEMPORARY SUSPENSION ON THE ISSUANCE OF PERMITS FOR CERTAIN OIL AND GAS

PIPELINES AND NATURAL GAS CENTRALIZED FACILITIES AND RELATED MATTERS, AS PROVIDED FOR IN ORDINANCE NO. 38-10; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Lyda, Filidoro, Hayden, Dixon

NAYS: Wallace

M. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

- Mayor Northern said the December 20th meeting was being cancelled and combined with the special meeting on December 16. The January 3rd and 17th regular meetings were being cancelled, and being held at a special meeting on January 20. The February 21st meeting was being cancelled, and being held at a special meeting on February 17.

N./O. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 7:52 p.m. on November 15, 2010, pursuant to Texas Government Code Sections 551.071, 551.072, 551.074, and 551.087 to discuss matters relating to consultation with Town Attorney, pending litigation, real property, personnel, and economic development negotiations and reconvened into an open meeting at 10:17 p.m. on November 15, 2010, to take action on the items as follows:

- a. **Discuss and consider economic development incentives.**

No action taken.

- b. **Discuss and consider acquisition and/or lease of real property for municipal purposes and all matters incident and related thereto.**

No action taken.

- c. **Discuss and consider annual review of Town Manager.**

Approved extending the Town Manager's contract as discussed and reviewed in Executive Session.

Vote 5-0.

- d. **Discuss selection of and applications for Town Secretary position, and all matters incident and related thereto.**

No action taken.

- e. **Discuss and consider appointment of a Presiding Municipal Judge for the Municipal Court of Record No. 1 in the Town of Flower Mound, Texas.**

No action taken.

- f. **Discuss LIT HW1, LP, v. The Town Of Flower Mound, Texas, et al, Cause No. 2009-20305-158, pending in the 158th Judicial District Court of Denton**

County, Texas, and all matters incident and related thereto.

No action taken.

- g. Consultation with Town Attorney regarding legal issues associated with a contract between the Town and the Flower Mound Chamber of Commerce.

No action taken.

- h. Discuss and consider appointments to the Animal Services Board, Board of Adjustment, Community Development Corporation, Environmental Conservation Commission, LISD Liaison, Parks, Arts and Library Services Board, Planning and Zoning Commission, TIRZ #1 Board, and Transportation Commission.

Appointed Mark Wise to Place 3 of the Oil and Gas Board of Adjustment with a term expiring September 30, 2011.

Vote 5-0.

P. ADJOURN REGULAR MEETING

Mayor Northern adjourned the regular meeting at 10:19 p.m. on Monday, November 15, 2010, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

MELISSA D. NORTHERN, MAYOR

ATTEST:

THERESA FAWCETT, INTERIM TOWN SECRETARY

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