

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 5TH DAY OF DECEMBER, 2011 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
Steve Lyda	Deputy Mayor Pro Tem
Kendra Stephenson	Councilmember Place 1
Tom Hayden	Councilmember Place 5

Absent:

Mark Wise

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

Harlan Jefferson	Town Manager
Theresa Scott	Town Secretary
Terrence Welch	Town Attorney
Kent Collins	Assistant Town Manager
Chuck Springer	Assistant Town Manager/CFO
Doug Powell	Director of Development Services
Tommy Dalton	Assistant to the Town Manager (previously Planning Manager)

**A. CALL BRIEFING SESSION TO ORDER**

Mayor Northern called the briefing session to order at 6:02 p.m.

**B. BRIEFING SESSION**

**1. Town Council Boards and Commissions Subcommittee Reports**

Councilmember Stephenson announced she was unable to attend the Animal Services Board meeting, however, Councilmember Hayden attended in her place.

Councilmember Hayden announced that the Animal Services Board, as well as the Parks, Arts, and Library Services Board met. He summarized discussion topics and associated action taken at those meetings.

**2. Discuss Consent and Regular Items**

No discussion.

**3. Discuss Future Agenda Items**

Councilmember Stephenson requested to have an agenda item on the topic of procedures regarding expenditure of funds in the council support budget. Councilmember Hayden agreed. Mayor Pro Tem Filidoro suggested it would be appropriate to discuss that item at the January Town Council Planning Session.

**4. Discuss Council Communications**

Mr. Jefferson provided a follow up report from a previous Council Communication regarding the West Windsor extension. He stated the Town has gone through 30% and 60% design level meetings, and will soon have a 90% design level meeting. He indicated that based on feedback received at the 60% design level from Town Council he has asked Town engineers to amend the plan to not make a direct connection between the West Windsor extension and Pecan Acres, and instead just have an emergency connection at Pinon, Mulberry, and Windsor Road.

Mayor Northern asked for clarification that this change was done after the 60% design meetings and the comments provided from the residents.

Mr. Jefferson replied that is correct.

There was some discussion regarding the roundabouts and access to the neighborhood.

**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 6:12 p.m.

**E. INVOCATION**

Pastor Phil Cook gave the invocation.

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

Mayor Northern led the pledges.

**G. PRESENTATIONS**

1. Mayor Northern offered a Certificate of Recognition to Flower Mound resident Jim Woosley for his efforts in trash collection in the Town's public right of ways. She also recognized Fire Department personnel for the care administered to Mr. Woosley after he became ill while collecting trash on one of the Town's trails. In addition, she recognized the efforts of the Flower Mound Police Department communication staff for their prompt handling of the 911 call and for the good Samaritans that provided initial care.

2. Neil Whitmore, a member of the Board of Directors of the Flower Mound Performing Arts Theatre, gave a presentation about the upcoming performance of Forever Plaid.
3. Harold Shepherd, Chairman of the Flower Mound Chamber of Commerce, provided a presentation that included a background of the organization, annual events, programs they conduct, service committees, what's planned for the future, and responded to various questions from Councilmembers.

#### H. PUBLIC PARTICIPATION

Gary Pressler (former Mayor), 4713 Skyline Dr, Flower Mound, TX

Mr. Pressler offered appreciation for everything done by the Town to commemorate the 50<sup>th</sup> Anniversary of the Town.

Oliver, Actors Conservatory Theatre

Members of the Actors Conservatory Theatre gave a musical presentation on the play Oliver.

Bryan Webb, 4112 High Rd, Flower Mound, TX

Mr. Webb expressed concern regarding Consent Agenda Item 5.

Jody Smith (former Mayor), 3705 Sarah Springs Rd, Flower Mound, TX

Offered appreciation for those who participated in the Pennies for Paige event.

#### I. ANNOUNCEMENTS

Councilmember Stephenson had the following announcements:

- She offered appreciation to the Fire Department on behalf of a resident that contacted her requesting she extend their thanks for the Fire Department's quick response during a chimney fire
- Pennies for Paige fundraiser was well attended and over \$40,000 was collected for the family in the course of three months through various community events

Mayor Northern had the following announcements:

- performance of Forever Plaid
- Actors Conservatory Theatre performance of Oliver
- Flower Mound Christmas Parade
- Voices of Flower Mound concert
- gingerbread decorating contest
- Grinch scramble
- Lake Lewisville Symphony performance
- Santa Cop donations
- Christmas tree recycling
- opportunity for residents to participate in the Town's community built playground and over 500 volunteers are needed

Dates and locations were provided for all of the above.

- offered a reminder about holiday shopping tips and the availability of vacation house checks provided by the Police Department

Deputy Mayor Pro Tem Lyda had the following announcements:

- offered recognition to Ginger Choate in the Town Secretary's Office for receiving a Certificate of Achievement from the National Association of Government Archives and Records Administrators
- offered congratulations to Tommy Dalton in his new position as Assistant to the Town Manager

Councilmember Hayden had the following announcements:

- offered appreciation for Kim Cloud and her efforts to raise money for the family in conjunction with the Pennies for Paige event as well as other community charity events

#### J. TOWN MANAGER'S REPORT

Mr. Jefferson reported that with regard to the Community Playground, in response to feedback from members of the Parks, Arts, and Library Services Board, the playground location will be positioned to take advantage of existing trees and the shade that will be provided.

Mr. Jefferson noted that for Item 6 on the agenda one third (\$100,000) of that is for asphalt overlay in Twin Coves Park.

#### K. CONSENT ITEMS

*Councilmember Stephenson requested Item 5 be pulled from the Consent Items.*

Deputy Mayor Pro Tem Lyda moved to approve by consent Items 1 – 4, and 6. Each item, as approved by consent, is restated below along with the approved recommendation, and if applicable, the Ordinance or Resolution caption for each, for the record. Councilmember Hayden seconded the motion.

1. **Consider approval of Change Order No. 6 for a contract decrease of \$13,244.75; final acceptance of the Flower Mound Road Reconstruction Phase I project; authorization for final payment to Tiseo Paving Company, in the amount of \$99,864.44; and authorization for the Mayor to execute same on behalf of the Town.**

**RECOMMENDATION:** Move to approve Change Order No. 6 for a contract decrease of \$13,244.75; final acceptance of the Flower Mound Road Reconstruction Phase I project; authorize the final payment to Tiseo Paving Company, in the amount of \$99,864.44; and authorize the Mayor to execute same on behalf of the Town.

2. Consider approval of a Professional Services Agreement with Teague Nall and Perkins Inc., to provide engineering design services associated with the Timber Creek Road Reconstruction Phase 1 project in the amount of \$95,500.00; and authorization for the Mayor to execute same on behalf of the Town.

**RECOMMENDATION:** Move to approve a Professional Services Agreement with Teague Nall and Perkins Inc., to provide engineering design services associated with the Timber Creek Road Reconstruction Phase 1 project in the amount of \$95,500.00; and authorize the Mayor to execute same on behalf of the Town.

3. Consider approval of a resolution adopting the Town of Flower Mound's Program Year 2010 Consolidated Annual Performance & Evaluation Report, which is required under the Town's Community Development Block Grant; and authorization for the Mayor to execute same on behalf of the Town.

**RECOMMENDATION:** Move to approve a resolution adopting the Town of Flower Mound's Program Year 2010 Consolidated Annual Performance & Evaluation Report, which is required under the Town's Community Development Block Grant; and authorize the Mayor to execute same on behalf of the Town.

#### RESOLUTION NO. 30-11

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, PROVIDING FOR THE ADOPTION OF FLOWER MOUND'S PROGRAM YEAR 2010 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; PROVIDING AUTHORIZATION FOR THE MAYOR TO EXECUTE SAID REPORT; AND PROVIDING AN EFFECTIVE DATE.**

4. Consider approval of an agreement between the Treasury Law Enforcement Agencies, the Internal Revenue Service Criminal Investigations, and the Town of Flower Mound, allowing the Police Department to receive an equitable share of funds from asset seizures and forfeitures; and authorization for the Mayor to execute same on behalf of the Town.

**RECOMMENDATION:** Move to approve an agreement between the Treasury Law Enforcement Agencies, the Internal Revenue Service Criminal Investigations, and the Town of Flower Mound, allowing the Police Department to receive an equitable share of funds from asset seizures and forfeitures; and authorize the Mayor to execute same on behalf of the Town.

*Item 5 removed from Consent by Councilmember Stephenson.*

6. Consider approval of the purchase of asphalt overlay services from Reynolds Asphalt & Construction Company, through a City of Grand Prairie contract, in the estimated amount of \$300,000.

**RECOMMENDATION:** Move to approve the purchase of asphalt overlay services from Reynolds Asphalt & Construction Company, through a City of Grand Prairie contract, in the estimated amount of \$300,000.

**VOTE ON MOTION**

**AYES:** Stephenson, Filidoro, Lyda, Hayden

**NAYS:** None

**ABSENT:** Wise

**L. REGULAR ITEMS**

5. Consider approval of a participation letter with PMAM Corporation, for alarm tracking and billing services, through a Town of Little Elm agreement, in the estimated annual amount of \$61,425; and authorization for the Mayor to execute same on behalf of the Town.

**Staff Presentation**

Mr. Springer provided background information regarding the awarding of the alarm contract as well as agreement terms associated with the contract.

Mayor Pro Tem Filidoro also provided a historical perspective on how alarms have been handled in the past.

Mr. Springer responded to inquiries from Councilmembers relating to the structure and costs associated with the agreement, including a comparison about what it would cost if this service was done in-house.

Mr. Jefferson commented that the agreement in January 2011 equated to an estimated annual cost of \$70,000, which demonstrates a lower cost for this year.

Councilmember Stephenson moved to approve a participation letter with PMAM Corporation, for alarm tracking and billing services, through a Town of Little Elm agreement, in the estimated annual amount of \$61,425; and authorize the Mayor to execute same on behalf of the Town. Mayor Pro Tem Filidoro seconded the motion.

**Council Deliberation**

Mayor Pro Tem Filidoro commented about the reasoning for entering into the contract originally.

**VOTE ON MOTION**

**AYES:** Hayden, Lyda, Filidoro, Stephenson

**NAYS:** None

**ABSENT:** Wise

7. Consider approval of a resolution casting the vote of the Town of Flower Mound, Texas, for the election of the Board of Directors of the Denton Central Appraisal District.

**Staff Presentation**

Ms. Scott provided background information related to the process associated with the selection of the Board of Directors of the Denton Central Appraisal District.

Councilmembers discussed Mr. Mossman's background and reasoning for offering support for all votes.

Councilmember Hayden moved to approve a resolution casting the vote of the Town of Flower Mound, Texas, for the election of Mr. Steve Mossman to the Board of Directors for the Denton Central Appraisal District. Mayor Pro Tem Filidoro seconded the motion.

**RESOLUTION NO. 31-11**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, CASTING ALL OF THE TOWN OF FLOWER MOUND, TEXAS, ONE HUNDRED THIRTY-FIVE (135) ALLOCATED VOTES FOR THE ELECTION OF THE BOARD OF DIRECTORS FOR THE DENTON CENTRAL APPRAISAL DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**VOTE ON THE MOTION**

**AYES: Stephenson, Filidoro, Lyda, Hayden**

**NAYS: None**

**ABSENT: Wise**

8. Consider approval of a resolution casting the vote of the Town of Flower Mound, Texas, for the election of the Board of Directors of the Tarrant Appraisal District.

**Staff Presentation**

Ms. Scott provided background information related to the process associated with the selection of Board of Directors of the Tarrant County Appraisal District.

Councilmember Stephenson moved to approve a resolution casting the vote of the Town of Flower Mound, Texas, for the election of John Fegan to the Board of Directors for the Tarrant Appraisal District. Mayor Pro Tem Filidoro seconded the motion.

**RESOLUTION NO. 32-11**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, CASTING THE TOWN OF FLOWER MOUND, TEXAS, ONE (1) ALLOCATED VOTE FOR THE ELECTION OF THE BOARD OF DIRECTORS FOR THE TARRANT APPRAISAL DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**VOTE ON THE MOTION**

**AYES:** Hayden, Lyda, Filidoro, Stephenson

**NAYS:** None.

**ABSENT:** Wise

**9. Discuss and consider Charter Review Commission Appointments.**

**Staff Presentation**

Ms. Scott provided background information regarding past discussions relating to the Charter and direction offered by Council to date and identified the purpose of the item.

Mayor Northern read Councilmember's Wise comments related to his selection of Dennis McKaige as his recommendation for a Charter Review Commission member.

Each Councilmember offered a motion for their nominations relating to the Charter Review Commission and is identified as follows:

Councilmember Hayden: Richard Watts

Deputy Mayor Pro Tem Lyda: Eric Jellison

Mayor Pro Tem Filidoro: Laurie Long

Councilmember Stephenson: Keith Simonson

Mayor Northern (on behalf of Councilmember Wise): Dennis McKaige

Mayor Northern: Richard Lust (chairman)

Deputy Mayor Pro Tem Lyda moved to appoint the following six members to the Charter Review Commission: Dennis McKaige, Richard Watts, Eric Jellison, Laurie Long, Keith Simonson, and Richard Lust (non voting chair). Mayor Pro Tem Filidoro seconded the motion.

**Council Deliberation**

Councilmember Hayden asked for clarification regarding the Mayor's appointment of Mr. Lust being a non-voting chair.

Mayor Northern stated that is correct.

**VOTE ON THE MOTION**

**AYES:** Stephenson, Filidoro, Lyda, Hayden

**NAYS:** None

**ABSENT:** Wise

**10. LDR 04-11 - LDR Update 2011**

Public Hearing to consider a request to amend the Land Development Regulations (LDR 04-11 – LDR Update 2011) by amending the following sections thereof by adding, amending, deleting, modifying and/or revising certain paragraphs, phrases, provisions and subsections contained in



section 74-3, "definitions," section 82-33, "application requirements," section 82-37, "minor changes," section 82-74, "off-street parking and loading space requirements," section 82-82, "queuing requirements for drive-through facilities," section 82-161, "clear visibility standards," section 82-213, "approving bodies," section 82-214, "landscape plan," section 82-272, "outdoor storage areas," section 82-274, "loading and service bays," section 82-302, "compatibility buffer," section 90-2, "creation of building site," section 90-52, "distribution of development plans," section 90-54, "comments; written report," section 90-251, "special roadway and area standards," section 90-311(d), "street design standards," section 90-320, "procedure to be followed by persons seeking street name change of an existing street," section 98-543, "specific uses," section 98-542, "permitted uses," section 98-573, "specific uses," section 98-602, "permitted uses," section 98-633, "specific uses," section 98-663, "specific uses," section 98-693, "specific uses," section 98-723, "specific uses," section 98-817, "permitted uses," section 98-873, "specific uses," section 98-952, "use classification," section 98-990, "recycling dropoff center," section 98-996, "swimming pool, private," section 98-1142, "front yard fence height and visibility," and section 98-1143, "perimeter and open space walls and fences" as more particularly described and set forth herein below; by adding a new section 82-137, "residential driveway spacing from an intersection," a new section 82-246, "outdoor patios and seating areas," and a new section 82-278, "exposed concrete and retaining walls"; by renumbering section 90-186, "specific use permits," as section 98-953, "specific use permits," and thereafter deleting previously existing section 90-186; and by deleting section 90-318, "thoroughfare buffers" in its entirety; "and substituting the phrase "town manager" for "director of community development" throughout Chapter B, Land Development Regulations, of the Code of Ordinances, and to consider adopting an ordinance providing for said amendment. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its November 14, 2011, meeting.)*

#### **Staff Presentation**

Mr. Dalton offered a presentation which included the purpose of the item, summary of past meetings and presentations to various groups, vision documents, the amendment process, and specific amended sections.

In response to Councilmember Stephenson's inquiry related to the changing of standards to the underground utilities ordinance, Mr. Dalton clarified that the language referenced is a hold-over from a previous draft and should not be included as that is not being done at this time.

Councilmember Hayden indicated he would like to gain a better understanding from the public about the potential impact and what it would do to development.

Mayor Northern noted that this item has been reviewed by the Planning & Zoning Commission (P & Z) on two occasions and in great detail.

Mr. Dalton offered detailed information regarding the amended sections. Mr. Dalton and Mr. Powell responded to inquiries from Councilmembers regarding outdoor seating, allowance of contrasting colors, urban design standards, and the development process overall.

Mr. Jefferson suggested there is not a time constraint, and for that reason if Council wanted a more in-depth conversation about the item, it could be deferred to a work session to allow ample time for questions which would allow time to obtain feedback from the public, as well as development community on the matter.

There was consensus by Council to table the item to February 20<sup>th</sup>, however, with a work session on the item to take place prior to that date.

Councilmember Hayden moved to table Item 10 until February 20, 2012 to allow for a Town Council Work Session prior. Councilmember Stephenson seconded the motion.

Mr. Jefferson indicated the work session could take place on December 19<sup>th</sup>.

#### **VOTE ON THE MOTION**

**AYES:** Hayden, Lyda, Filidoro, Stephenson

**NAYS:** None.

**ABSENT:** Wise

11. **Public Hearing to consider a request to amend Section 1.0, Land Use Plan (MPA 03-11 – Estancia Estates), of the Master Plan, to change the current land use on the Land Use Plan Map from Low Density Residential uses to Medium Density Residential uses, and to consider adopting an ordinance providing for said amendment. The property is located generally at and about the southeast corner of Dixon Lane and Chinn Chapel Road. (*The Planning and Zoning Commission recommended denial by a vote of 6 to 0 at its November 14, 2011, meeting.*)**

Mayor Northern opened items 11, 12, and 13 at the same time.

#### **Staff Presentation**

Mr. Powell provided a presentation which included:

- the site location
- land use
- adjacent properties
- the site plan - and noted the development plan has changed from what was presented at the P & Z meeting. The applicant's changes were as a result of the comments received from P & Z

- past proposed uses on the property
- landscape buffering

Councilmember Hayden inquired how much land along Chinn Chapel was going to be deeded to the Town as right-of-way to expand Chinn Chapel.

Mr. Powell replied approximately two acres and he noted within the development agreement the development plan shows the dedication of the right-of-way, which is normally obtained at record plat, however, the development agreement states this would transfer to the Town prior to the approval of a record plat.

Councilmember Hayden asked if they had any feedback from residents – either positive or otherwise.

Mr. Powell indicated they have not.

### **Applicant Presentation**

Von Beougher, G & A Consultants, 111 Hillside, Lewisville, TX

Mr. Beougher stated they took the input from P & Z and reduced the number of lots. He stated the main issue with P & Z had to do with density. He provided a presentation which included a site plan, SPA 5 Master Plan 2001 overview, clarified the dedication of 2.1 acres to the Town, landscape buffers, master plan amendment request, and stated there will be fifty-four lots with the average lot size being 12,000 square feet, with a few over 14,000 square feet.

Deputy Mayor Pro Tem Lyda inquired about the distance on the landscape buffer from the property line on the eastern edge.

Mr. Beougher responded they are proposing a continuous 20' strip, with a four foot trail of open space from the masonry wall by the mobile home park to the back of their lots. He reiterated their request is for an approval to the master plan amendment to allow the density change to go from low to medium density. He noted it's a reasonable transition in the area and keeps with the normal density of 2.3 units to the acre for their request.

Several Councilmembers offered appreciation for the developer addressing the concerns from P & Z with respect to meeting the numbers in accordance with the master plan, as well as for the dedicated right-of-way.

Deputy Mayor Pro Tem Lyda inquired if there would be a curb cut on Dixon into this property.

Mr. Collins stated the developer did not approach the Town with that request, however, staff believes the full access on Chinn Chapel would be sufficient with the use of the roundabout.

Councilmember Hayden inquired how long has the mobile home park been there.

Dale Andrews, 3730 Landseer Dr, Copper Canyon, TX

Mr. Andrews responded to Councilmember Hayden's question by stating he moved to the area in 1970 and it was there then.

Mayor Northern opened the public hearing for Item 11 at 9:13 p.m.

**Public Participation:**

William Weller, 5816 Twain Dr, Flower Mound, TX

Spoke in favor.

Dale Andrews, 3730 Landseer, Copper Canyon, TX 76226

Spoke in favor.

Buddy Thompkins, 6000 Chinn Chapel, Flower Mound, TX

Spoke in favor.

Mayor Northern closed the public hearing for Item 11 at 9:19 p.m.

Mayor Northern opened the public hearing for Item 12 at 9:19 p.m.

No participation

Mayor Northern closed the public hearing for Item 12 at 9:19 p.m.

**Council Deliberation**

There was some discussion regarding zoning on area properties with respect to future transitions, and further discussion related to the Town's policy as to what triggers items to get routed back to P & Z when there are significant changes to a site plan.

Mayor Pro Tem Filidoro moved to approve a request to amend Section 1.0, Land Use Plan (MPA 03-11 - Estancia Estates), of the Master Plan, to change the current land use on the Land Use Plan Map from Low Density Residential uses to Medium Density Residential uses, and adopt an ordinance providing for said amendment. Deputy Mayor Pro Tem Lyda seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Hayden, Lyda, Filidoro, Stephenson

**NAYS:** None

**ABSENT:** Wise

12. **Public Hearing to consider a request for rezoning (Z 02-11 – Estancia Estates) from Agricultural District (A) to Single-Family District-10 (SF-10), and to consider adopting an ordinance providing for said amendment. The property is located generally at and about the southeast corner of Dixon Lane and Chinn Chapel Road. (The Planning and Zoning Commission recommended denial by a vote of 6 to 0 at its November 14, 2011, meeting.)**

Deputy Mayor Pro Tem Lyda moved to approve a request for rezoning (Z 02-11 - Estancia Estates) from Agricultural District (A) to Single-Family District-10 (SF-10), and adopt an ordinance providing for said amendment. Councilmember Stephenson seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Stephenson, Filidoro, Lyda, Hayden

**NAYS:** None

**ABSENT:** Wise

13. **Consider a request for a Development Plan (DP 06-11 – Estancia Estates) to develop a residential subdivision, subject to the terms and conditions in the attached Development Agreement and authorization for the Mayor to execute same on behalf of the Town. The property is located generally at and about the southeast corner of Dixon Lane and Chinn Chapel Road. (The Planning and Zoning Commission recommended denial by a vote of 6 to 0 at its November 14, 2011, meeting.)**

Mayor Pro Tem Filidoro moved to approve a Development Plan (DP 06-11 – Estancia Estates) to develop a residential subdivision, subject to the terms and conditions in the attached Development Agreement and authorize the Mayor to execute same on behalf of the Town and acceptance of Park Development Fees in the amount of \$74,952.00 and cash in lieu of land in the amount of \$86,965 to satisfy the requirements of the Park Land Dedication Ordinance. Councilmember Stephenson seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Hayden, Lyda, Filidoro, Stephenson

**NAYS:** None

**ABSENT:** Wise

**M. WORK SESSION**

Richard Myers, Realty Capital, 8333 Douglas Ave, Dallas, TX

Mr. Myers provided a presentation which included background information about Realty Capital and various partners involved, an aerial view of site, history of what has occurred on the Lakeside DFW property to date, and future development plans.

There was discussion between Mr. Myers and Councilmembers related to the site plan in relation to Corp property, concept plan for the hotel site, market interest in campus commercial zoning, the proposed idea of residential development for the area, and timing of their proposed project.

**COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS**

Mayor Northern announced that members of the P & Z would like to cancel the combined work session on December 15<sup>th</sup> as they indicated there is not an interest in restarting the discussion regarding mixed use.

There was discussion amongst Councilmembers whether or not to bring the item forward to Council. Mr. Jefferson suggested should there be interest in having a work session on this item in the future; Councilmembers can open the topic for discussion during the future meetings segment of the agenda.

Mayor Northern confirmed future meeting dates.

**N./O. CLOSED/OPEN MEETING**

The Town Council convened into a closed meeting at 11:08 p.m. on December, 5, 2011, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.087, 551.072, 551.074, and 551.071 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 12:11 a.m. on December 6, 2011, 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.

Mayor Pro Tem Filidoro moved to approve the sale of property to Bridlewood Homeowners' Association, for use as a park, in the amount of \$1,771.00, plus closing costs; authorize the Assistant Town Manager, or his designee, to execute all documents at closing on behalf of the Town; and authorize the Town Attorney, or his designee, to file all necessary documents associated with this transaction. Deputy Mayor Pro Tem Lyda seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Stephenson, Filidoro, Lyda, Hayden

**NAYS:** None

**ABSENT:** Wise

- c. Discuss and consider appointments to the Animal Services Board, Board of Adjustment, Oil and Gas Board of Appeals, Community Development Corporation, Environmental Conservation Commission, Parks, Arts and Library Services Board, Public Arts Committee, Planning & Zoning Commission, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), and Transportation Commission.

For the Community Development Corporation, Mayor Pro Tem Filidoro moved to reappoint Virginia Curry to a term ending 12/31/2012 and to reappoint Claudio Forest to a term ending 12/31/2013 and move to reappoint Steve Lyda to a term ending 12/31/2013. Councilmember Hayden seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Hayden, Lyda, Filidoro, Stephenson

**NAYS:** None

**ABSENT:** Wise

- d. Discuss and consider annual review of Presiding Judge and Alternate Judges.

Councilmember Hayden moved to authorize the Mayor to execute letter agreements with Greg Bertrand as Presiding Municipal Judge and Victor Rivera as Alternate Municipal Judge for calendar year 2012. Mayor Pro Tem Filidoro seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Hayden, Lyda, Filidoro, Stephenson

**NAYS:** None

**ABSENT:** Wise

P. ADJOURN REGULAR MEETING

Mayor Northern adjourned the meeting at 12:15 a.m. on December 6, 2011, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

  
MELISSA D. NORTHERN, MAYOR

ATTEST:

  
THERESA SCOTT, TOWN SECRETARY