

**THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 21<sup>ST</sup> DAY OF MAY, 2012, 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
Mark Wise	Councilmember Place 3
Vacant	Place 5

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
Gary Sims	Executive Director of Community Services

**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**

No reports.

**2. Discuss Consent and Regular Items**

No discussion.

**3. Request Future Agenda Items**

No discussion.

**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 6:03 p.m.

**E. INVOCATION**

Chaplain Liles gave the invocation.

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

Mayor Northern led the pledges.

**G. APPROVAL OF MEETING MINUTES**

Mayor Northern opened Items 1, 2, and 3.

1. Consider approval of the minutes from a regular meeting of the Town Council held on April 16, 2012.
2. Consider approval of the minutes from a work session of the Town Council held on April 19, 2012.
3. Consider approval of the minutes from a regular meeting of the Town Council held on May 7, 2012

Mayor Pro Tem Filidoro moved to approve minutes from April 16, 2012; April 19, 2012; and May 7, 2012. Deputy Mayor Pro Tem Lyda seconded the motion.

**VOTE ON MOTION**

**AYES: Stephenson, Filidoro, Lyda, Wise, 1 vacant**

**NAYS: None.**

**H. CANVASS OF MAY 12, 2012, SPECIAL AND GENERAL ELECTION AND OATHS OF OFFICE**

4. Canvass of May 12, 2012, Special Election.

Ms. Scott provided a summary of the election results.

Deputy Mayor Pro Tem Lyda moved to approve an ordinance canvassing returns and declaring results of a Special Charter Amendment Election held May 12, 2012. Mayor Pro Tem Filidoro seconded the motion.

**ORDINANCE NO.15-12**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF A SPECIAL ELECTION HELD MAY 12, 2012, FOR THE PURPOSE OF AMENDING THE HOME RULE CHARTER OF THE TOWN OF FLOWER MOUND, TEXAS; AND PROVIDING AN EFFECTIVE DATE.**

**VOTE ON MOTION**

**AYES:** Stephenson, Filidoro, Lyda, Wise, 1 vacant

**NAYS:** None.

5. Canvass of May 12, 2012, General Election.

Ms. Scott provided a summary of the election results.

Mayor Pro Tem Filidoro moved to approve an ordinance canvassing returns and declaring results of a General Election held May 12, 2012, for the purpose of electing a mayor, and two council members, Places 2 and 4. Deputy Mayor Pro Tem Lyda seconded the motion.

**ORDINANCE NO. 16-12**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF A GENERAL ELECTION HELD MAY 12, 2012, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO COUNCIL MEMBERS, PLACES 2 AND 4, OF THE TOWN OF FLOWER MOUND, TEXAS; AND PROVIDING AN EFFECTIVE DATE.**

**VOTE ON MOTION**

**AYES:** Wise, Lyda, Filidoro, Stephenson, 1 vacant

**NAYS:** None.

*Oaths of Office moved after Item I.*

- I. RECOGNITION OF AND ANNOUNCEMENT FROM OUTGOING MAYOR MELISSA NORTHERN, MAYOR PRO TEM AL FILIDORO, AND DEPUTY MAYOR PRO TEM STEVE LYDA**

Mayor Melissa Northern, Mayor Pro Tem Al Filidoro, and Deputy Mayor Pro Tem Steve Lyda each provided announcements.

- H. <sup>(5a)</sup> Administer Oaths of Office and issue Certificates of Election.**

Denton County Judge Mary Horn administered Oaths of Office to Tom Hayden, Bryan Webb, and Steve Dixon, and Mayor Melissa Northern provided each with Certificates of Election.

*The Town Council recessed at 6:30 p.m.*

The Town Council reconvened into a regular meeting at 6:58 p.m. with the following members present:

Tom Hayden	Mayor
Kendra Stephenson	Place 1
Bryan Webb	Place 2
Mark Wise	Place 3

Steve Dixon  
Vacant

Place 4  
Place 5

**J. ANNOUNCEMENTS FROM NEWLY ELECTED MAYOR TOM HAYDEN AND COUNCIL MEMBERS BRYAN WEBB AND STEVE DIXON**

Mayor Tom Hayden, and Councilmembers Bryan Webb and Steve Dixon each provided announcements.

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

*Town Council opted not to convene into closed session for this item.*

Discuss and consider election of Mayor Pro Tem.

Councilmember Webb moved to nominate Kendra Stephenson to the position of Mayor Pro Tem. Councilmember Wise seconded the motion.

**VOTE ON MOTION**

**AYES: Wise, Dixon, Stephenson, Webb, 1 vacant**

**NAYS: None.**

Discuss and consider election of Deputy Mayor Pro Tem.

Councilmember Webb moved to nominate Mark Wise to the position of Deputy Mayor Pro Tem. Councilmember Dixon seconded the motion.

**VOTE ON MOTION**

**AYES: Dixon, Stephenson, Webb, Wise, 1 vacant**

**NAYS: None.**

**M. PRESENTATIONS**

*Presentations were moved after Consent Items*

**N. PUBLIC PARTICIPATION**

The following individuals spoke during public participation:

Deborah Hempel-Medina, 2701 Stone Creek Dr, Flower Mound, TX

Reginald Rembert, 3625 Bonanza, Flower Mound, TX

Jane Foster, 5108 Peaceful Cove, Flower Mound, TX

Carol Kohankie, 4312 Lauren Way, Flower Mound, TX

**O. ANNOUNCEMENTS**

No announcements.

**P. TOWN MANAGER'S REPORT**

1. Update and status report related to capital improvement projects

Mr. Jefferson provided updates regarding the following capital improvement projects:

- FM 1171
- Gerault Road
- Post Oak Park
- Timber Creek Road construction – Phase I

2. Discuss Council Communications

**1) Options for updates on the Lakeside DFW project.**

Mr. Jefferson summarized the current communication process for this purpose.

There was some discussion amongst council members about an upcoming work session for the purpose of discussing the mixed use ordinance. There was consensus by Council to invite representatives from the Lakeside DFW project, as well to extend an invitation to past members of the mixed use steering committee. There was also consensus amongst Council to move forward with the Lakeside DFW project within the scope of the ordinances, and as expeditiously as possible.

Mr. Jefferson offered to provide Council with information related to the Town's "Go Team" that was used for the Riverwalk project, for the purpose of Council consideration in forming that type of committee again for the Lakeside DFW project. Council members were in favor of obtaining that information.

**2) Boundary Adjustment and Wastewater Service Agreements between Flower Mound and Copper Canyon.**

Mr. Jefferson provided a summary regarding the boundary adjustments with Copper Canyon. He also summarized the waste water agreement with Copper Canyon.

Mr. Dixon requested that when the item comes forward in June, that staff put together some historical information regarding Jernigan Heights and the access issues that arose at that time with Copper Canyon.

**3) Regional Transportation Council Seat Appointment and Rotation.**

Mr. Jefferson summarized the appointment and rotation schedule regarding the Regional Transportation seat in accordance to the Memorandum of Understanding between the participating area cities.

Mr. Jefferson inquired if there was interest from Council to serve in this position.

Mayor Hayden announced Councilmember Dixon would be willing to occupy that seat. There were no objections from Council members.

**Q. CONSENT ITEMS**

Councilmember Dixon moved to approve by consent Items 6 – 7, and 9. Mayor Pro Tem Stephenson seconded the motion. 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.

- 6. Consider approval of the award of Bid No. 61-12-B Traffic Signal Installation at Old Settlers Road at Sagebrush Drive, to Roadway Solutions Inc., in the amount of \$97,450.00; and authorization for the Mayor to execute same on behalf of the Town.**

**RECOMMENDATION:** Move to approve the award of Bid No. 61-12-B Traffic Signal Installation at Old Settlers Road at Sagebrush Drive, to Roadway Solutions Inc., in the amount of \$97,450.00; and authorize the Mayor to execute same on behalf of the Town.

- 7. Consider approval of a Services Contract with Pros Consulting, LLC, to provide feasibility study services for Twin Coves Park, in the amount of \$25,000.00; and authorization for the Mayor to execute same on behalf of the Town.**

**RECOMMENDATION:** Move to approve a Services Contract with Pros Consulting, LLC, to provide feasibility study services for Twin Coves Park, in the amount of \$25,000.00; and authorize the Mayor to execute same on behalf of the Town.

*Item 8 was pulled from Consent by Councilmember Webb.*

- 9. Consider approval of Amendment No. 4 to the FY 2011-2012 Capital Improvement Program.**

**RECOMMENDATION:** Move to approve Amendment No. 4 to the FY 2011-2012 Capital Improvement Program.

**VOTE ON MOTION**

**AYES:** Stephenson, Webb, Wise, Dixon, 1 Vacant

**NAYS:** None.

*Item 8 was pulled from Consent by Councilmember Webb.*

Mr. Collins provided a presentation summarizing the project.

- 8. Consider approval of Bid No. 55-12-B, for the construction of Timber Creek Road Reconstruction, Phase I (FM 1171 to Timber Creek Bridge) project, to Jet Underground Utilities, Inc., in the amount of \$1,110,997.00; and authorization for the Mayor to execute same on behalf of the Town.**

Councilmember Webb moved to approve the award of Bid No. 55-12-B, for the construction of Timber Creek Road Reconstruction, Phase I (FM 1171 to Timber Creek Bridge) project, to Jet Underground Utilities, Inc., in the amount of \$1,110,997.00; and authorize the Mayor to execute same on behalf of the Town. Councilmember Wise seconded the motion.

**VOTE ON MOTION**

**AYES:** Webb, Stephenson, Dixon, Wise, 1 vacant

**NAYS:** None.

**M. PRESENTATIONS**

*Presentations moved after Item Q (Consent Items)*

Mayor Hayden presented Ken Parr, Director of Public Works, with a Proclamation recognizing Public Works Week.

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

Mayor Hayden announced there will be a Special Meeting of the Town Council on May 22, 2012 at Central Fire Station.

**S./T. CLOSED/OPEN MEETING**

The Town Council convened into a closed meeting at 7:58 p.m. on May 21, 2012, 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 9:02 p.m. on May 21, 2012, 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 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.

Mayor Pro Tem Stephenson moved to appoint Tom Hayden and Mark Wise to the Community Development Corporation. Councilmember Webb seconded the motion.

**VOTE ON MOTION**

**AYES: Wise, Dixon, Stephenson, Webb, 1 vacant**

**NAYS: None.**

**U. ADJOURN MEETING**

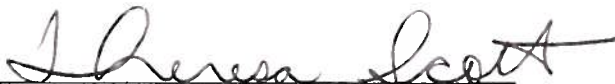
Mayor Hayden adjourned the meeting at 9:04 p.m. on May 21, 2012, and all were in favor.

**TOWN OF FLOWER MOUND, TEXAS**



**THOMAS E. HAYDEN, MAYOR**

**ATTEST:**



**THERESA SCOTT, TOWN SECRETARY**