THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 4TH DAY OF NOVEMBER, 2013, 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:

- Tom Hayden Mayor
- Steve Dixon Mayor Pro Tem
- Bryan Webb Deputy Mayor Pro Tem
- Michael Walker Councilmember Place 1
- Mark Wise Councilmember Place 3
- Jean Levenick Councilmember Place 5

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

- Theresa Scott Town Secretary
- Terrence Welch Town Attorney
- Jimmy Stathatos Town Manager
- Debra Wallace Assistant Town Manager/CFO
- Gary Sims Executive Director of Community Services
- Doug Powell Executive Director of Development Services
- Matt Hotelling Traffic Engineer
- Kenneth Parr Director of Public Works

**A. CALL REGULAR MEETING TO ORDER**

Mayor Hayden called the regular meeting to order at 6:00 p.m.

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

Chaplain Jane Dougherty gave the invocation and Mayor Hayden led the pledges.

**D. PRESENTATIONS**

1. Presentation for Interim Police Chief, David James

Mayor Hayden and Mr. Stathatos offered appreciation for the work of Mr. David James and presented him with a street sign with his name.

Mr. Stathatos summarized the recruitment process for the new police chief and introduced Flower Mound’s new Police Chief Andy Kancel. Chief Kancel offered appreciation for the work of Mr. James and expressed appreciation and enthusiasm to start serving the Town.
2. Proclamation for American Diabetes Month

Mr. Quin Neal, Senior Executive Director for the American Diabetes Association - North Texas Office, accepted a Proclamation for American Diabetes Month and provided background information related to the disease and his involvement in the organization.

3. Certificate of Appreciation, Flower Mound Summit Club

Claudio Forest, President, Flower Mound Summit Club, provided background information about the organization and accepted the Certificate of Appreciation from the Town. Other Summit Club members participating were: Paul Stone, Scott Baker, Gerald Robinson, Rob Marco, Steve Harris, Bryan Webb, and Richard Steenson.

4. Proclamation for Flower Mound’s Young Men’s Service League Group

Ms. Jojo Theleman and Ms. Barb Seykora provided background about the organization and accepted the Proclamation for Flower Mound’s Young Men’s Service League Group, with approximately eight members represented.

E. PUBLIC PARTICIPATION

Names listed below don’t necessarily reflect the order in which each person spoke.

Todd Weaver
Mr. Weaver provided an update on the recruitment efforts related to Black Walnut. He indicated they experienced some development issues. He acknowledged Mr. Stathatos and Mr. Powell for applying common sense in working out those issues, which resulted in Black Walnut closing on their land last week. It will be an 8,000 square foot restaurant serving breakfast, lunch, and dinner.

Kristi Hassett, 3500 Beringer Ct, Flower Mound, TX 75022
Ms. Hassett requested an extension of the school zone on Sterlington Parkway near Wellington Elementary. She pointed out protection for the children is necessary given some staffing changes with crossing guards that changed where they are located.

Don McDaniel, 3801 Hide A Way Ln, Flower Mound, TX
Mr. McDaniel stated he believes the Town’s 300 foot radius notification process might not be sufficient in all cases. He asked the Council to get with staff and come up with a better formula as to how people are notified. He gave the example of people going to the dog park will need to pass right by his home and he was never notified about the dog park. He also questioned how you are going to get people to the dog park because there are no sidewalks in the vicinity. He indicated the location doesn’t support the use of all people as it was intended. In addition, the dog park might be beneficial for people who live in apartments or condos, however, there are no facilities such as condos or apartments in the
proposed area that could benefit from having the dog park. He was of the opinion it would be better at Heritage Park where there is a trail system and it could serve the apartments and condos that are close to Heritage Park. He suggested rethinking the location and to be prepared for the trespassing calls because there are no sidewalks and people will be crossing private property to get to it.

Sheron OHara, 2271 Shoreline Dr, Flower Mound, TX 75022
Ms. OHara indicated she knows the park area because it’s near to where her home is. Her house is the first home on the right when you go around the curve. I can tell you, like those that previously spoke, the kids are a concern. On Halloween night I saw several kids walking alone. We watch out for those kids because we live in that neighborhood. We know its 20 mph. I have lived in Flower Mound for 20 years. I moved from the Villages of Northshore. Let me tell you about bypassing traffic and what people that don’t live in a neighborhood do – they cut to avoid 3040 and 2499 and they cut through your neighborhood. I moved from there and the traffic volumes from that neighborhood to this neighborhood to possibly be faced with the same thing again. And they had no care and regard for your kids. They would drive through exceeding the speed limit. We moved here because of how great this neighborhood is. And to pick a place where you have one in and one out doesn’t make sense. There is no city sewer there. There was talk about putting rest rooms in, but because there was no city sewer there was mention of putting in port-a-potties. Who wants a port-a-potty in a public park that we go and enjoy and now have dogs running, and being maintained at a minimal amount because there is concern that if you don’t have sponsors you won’t have money to maintain cleaning it regularly. Would you want to be right next door to the dog park on a 100 degree day and not being cleaned for 4-5 days, and having that odor right next to your back yard. We’re not like other neighborhoods. We don’t have cement walls. You don’t have areas that segregate one space from other to be able to distinguish, or to have sound barriers to keep that noise at a minimum. This is basically right within our neighborhood. I understand a neighborhood community pool, and community park, but I don’t understand a dog park. I can tell you that probably not one of the neighbors within this community would use the dog park, so it’s not like its being built for the benefit of those people or those children. I see kids out there practicing soccer, baseball, and other things that are important to those families. And now where are those kids going to go. I simply ask that you reconsider. I guess there is a stipulation that you have to be within 300 feet to be notified. So none of us knew about this. If someone can’t park in my driveway, they park at that park. That’s how close my home is to the park. So I am concerned about safety and the disruption to all the people around there.

Rick Wilhoit, 2157 Breezywood, Flower Mound, TX
Mr. Wilhoit indicated he agrees with many of the comments made so far. He pointed out that when the land was gifted to the Town by Mr. Davis there were many stipulations associated with that legal contract, one being the Town could not invoke eminent domain for the surrounding property owners of that parcel. He expressed concern for the additional traffic. He noted if there is consideration of widening Hide A Way solely for the use of this dog park, I urge you to consider
Larry Davis’s spirit of his agreement in that the adjoining property would not be taken. The property owners on the north side of Hide A Way have been paying taxes on that land, maintaining it, and acting as if it were their own this entire time. He noted the dog park at Heritage would have made a lot more sense with putting multiple park amenities such as a restrooms and parking for the residents to enjoy instead of an obscure neighborhood.

Lijo Joseph, 2200 Whispering Oaks, Flower Mound, TX 75022
Mr. Joseph spoke against having a dog park at the Green Acres Farm location and his home is one of the homes in the immediate vicinity of the dog park. He pointed out various concerns related to the additional traffic, and home value declines. He expressed frustration relative to the location selected. We may not be as powerful as Wellington or Baker’s Branch, but we are also residents and taxpayers and due the same rights, privileges, and considerations as these communities. If three-five acres of dogs, the eyesore of a six foot chain link fence, the noise, the smell, and the increased traffic, and the associated detriment to property values and safety are not acceptable for parks near Wellington, Bridlewood, Baker’s Branch, and or in your respective neighborhoods, then it is not acceptable for us either. Not in our back yard. He noted that Hide A Way is our only exit and our only entry, which is a rural and narrow road with no sidewalks. My children, and many other children in the neighborhood, walk, cycle, and play on that street because we have no city park within walking distance with a playground for children like the city provides to the other neighborhoods. We also pay taxes. Any increased traffic is a danger to our children, and the children of our neighborhood are more important to us than a park for dogs. In the article I read about the dog park I also read putting the dog park at Heritage Park West would have also put the dogs too close to the children at Fort Wildflower Playground, officials said. Well, I ask you officials, what about the children of our neighborhood who have no playground and who still play in Green Acres Park and on Hide A Way? Why is it okay to put dogs and increased traffic too close to our children? Is it because they are considered by this Council to be lower on the income scale. They are our children and we pay taxes too and we say that their safety is paramount. We will not relent. Not in our backyard. The other cities with dog parks like Frisco, Allen, Lewisville, Plano, Southlake, etc. place their parks by major roads, or have no residents on the access roads to those parks. Frisco had 2,000 visitors on the day that it opened the dog park and enough cars to overflow the parking lot onto the street on numerous weekdays, and numerous evenings, and numerous weekends. Hide A Way is not only smaller, but has many houses and residential streets off of it. We can’t allow this. Not in our backyard.

Danny Mitchell, 3913 Hide A Way Ln, Flower Mound, TX
Mr. Mitchell commented he supports the comments of others and that the street won’t handle the additional traffic once the dog park is in place. He indicated it’s not a good location for the use.
Rex Allen, 4017 Hide A Way Ln, Flower Mound, TX 75022
Mr. Allen indicated he has been a resident on Hide A Way for over 30 years and has two lots that face Hide A Way Lane. He expressed concern about the safety of Hide A Way Lane and the traffic concerns. He pointed out that people pick up speed when they get to the hill where he lives. He indicated he has scrapped off countless dead dogs and cats out of that street. I hear people slamming their brakes to keep from running over people or animals. This is the third time I have been here about the same issue and the safety of Hide A Way Lane and too much traffic coming down there. I have seen the neighborhood grow with more and more traffic. It is getting worse and worse. He pointed out that Council promised their neighborhood they wouldn’t do anything to the park until they have the access on Wichita Trail. He stated he knew Mr. Davis and he would not want this – to put children and dogs, and people’s lives in danger. I promise you if you put that park in there somebody is going to get killed. I have been watching for 30 years. He stated his request is to either put the dog park somewhere else or give them the street they were promised seven years ago. Hide A Way Lane will not be able to handle the traffic and I’m sure if someone gets hurt or killed, our neighborhood is going to hold you Councilmembers responsible for it.

Brian and Mary Rose Schulte, 3812 Park Bend Dr, Flower Mound, TX
Mr. Schulte indicated they live on the access of Hide A Way Lane and it is a terrible road. Not only that, but when you get out to Simmons Road, you are taking your life in your hands to walk across that road, let alone drive on to it. It is on a hill. There are people turning in there all the time. That road is very narrow and there are kids running around there too. It is a dead end road. Just because the land was given to you free, we could use it for something different than a dog park. It doesn’t make any taxes for you. Give it back to the people. Do whatever you want with it. If a kid dies because of three acres of free land, it’s not going to make any sense. People will be going to the dog park after work. There is a lot of people coming and going - kids and busses, etc. at this time, and all of these extra 60+ cars that are going to come back in there just to go to the dog park. There are no sidewalks. We couldn’t even let our kids walk to school. It’s that dangerous on that road and if you’re going to increase the traffic by this amount, it’s going to be a huge deal. Who do you go to after your kid has been run over?

Ms. Schulte commented for the first year they lived in their home (2008) they started to let their kids walk to school (McKamy), but she quit because she walked with them and no one would stop to let them get across the street. There is no sidewalk on the one side and there is no crosswalk to access. You would have to go all the way down to the three way stop. I called and complained and requested they put a crossing sign in; however, nothing was ever done about it. For that reason I had to start driving my kids to school. I walk down that road a lot. My 13 year old son has friends down Hide A Way Lane over the bridge. There is no way I’m going to let him ride a scooter down there if there will be all that traffic going down there.

Mr. Schulte said somebody’s kid is going to get run over.
Ms. Schulte expressed concern that Park Bend will become a thoroughfare for people cutting through to get down there because if they are coming from the three way stop off McKamy Creek, they very well could cut through our block to get to Hide A Way Lane.

Mr. Schulte stated that kids live on every block, but you don’t have a block where you can drive fast easy because there is nobody back there.

Ms. Schulte said it’s dangerous with the traffic coming down over the hill and over the bridge. A lot of times you don’t even see the cars and there is no place to walk.

James DePetro, 4421 Wanda Ln, Flower Mound, TX 75022

Mr. DePetro said the streets are narrow. They moved here from Grapevine because they wanted a safe place for his kids. The kids run around on the streets and ride bikes. The residents understand how narrow the streets are. My wife almost hit a mail box one time just going down Hide A Way Lane. He questioned if the Town plans to expand their road and if they would be given sidewalks. He also asked what you are going to do to make our kids safe. He expressed anger over the potential of his child getting hit by a car as a result of the dog park going in. He stated this is not a safe place. The roads won’t sustain this. There are children all over the place and there is nowhere for them to go. He stated, do you think these people are just going to go down Hide A Way to the dog park. I live on Wanda. They are going to be riding around in our neighborhoods, and looking around. This is dangerous. Not a good decision. We should have some input. Where else is there a dog park that goes into one neighborhood. Every dog park I know feeds in from some side road. It feeds in from a corner. It’s built in a place that is more industrial. We understand it’s dangerous and there is no place for them to go, and the roads are narrow. You have to stop on Hide A Way and let somebody go. Now you’re going to have hundreds of cars coming through there. You have parks and access all over the place and you put it in a place with a single lane in and out with kids everywhere.

Hayden: Commented that since this is an agenda item, many of the comments made this evening will be addressed at that time.

Hayden: Asked what the Council would need to do with respect to extending the school zone.

Stathatos: It’s anticipated for the November 18th Town Council agenda and he indicated staff will be in contact with Ms. Hassett during the interim to address the traffic concerns.

F. ANNOUNCEMENTS

Dixon: Announced that last Sunday there were about 100 people in Council Chambers. He, along with Tom, was asked to give a discussion about the Town and service. He complemented the young men for being responsive and polite and offered thanks for the invitation and opportunity to talk with them.
Levenick: Announced that there will be a Meet and Greet for the public for the new Police Chief on November 12th from 5:00 – 6:30 p.m. at the Flower Mound Police Department on Kirkpatrick Lane.

Webb: Announced that tomorrow is Election Day and encouraged voter participation.

Hayden: Announced that the Veteran’s Day Ceremony is Sunday, November 10th at the Flower Mound High School football stadium. Also, one of the things that has been an issue for the Town for nearly a decade is our relationship with Upper Trinity. We have mentioned that the rates are going to go up and there is this discussion about Lake Ralph Hall. Recently the Upper Trinity approved a 10% increase and the water usage for the Town of Flower Mound and what our cost is. So when you get your water bill and it keeps going up, we have a problem with the Upper Trinity not being responsive to their largest customer. It’s something we as a community need to address.

G. TOWN MANAGER’S REPORT

1. Update and status report related to capital improvement projects

Mr. Stathatos provided the following capital improvement project updates:

- **FM 1171 expansion**: we were hoping to get started on it sooner than later, but there are some utility companies that haven’t fully relocated their infrastructure, so we’re not going to be able to start until March of 2014. The water line is currently being installed to the West, but we were hoping to actually expedite the project.

- **FM 1171 at 377**: This is one of the most congested intersections where the Town gets several complaints, and Matt Hotelling has worked with TxDOT and they have given permission to install temporary turn lanes that will help tremendously. We don’t have a time frame; however, it’s going to make a huge difference because at certain times of day you might be behind 60-70 cars.

- **Wichita Trail**: We are three weeks away with weather. Staff is getting good feedback about the new arch span that is in.

- **Chinn Chapel at Dixon Roundabout**: Staff has received some questions about this. Residents have asked if the Town could put some information on our website about how to maneuver with roundabouts and we’re looking at getting the best information to help with that. Studies have shown that roundabouts move around 30% more cars within the same amount of time. It’s a paradigm shift in terms of mobility, but I think once people look at it, because I know there has been some concern about condensing to one lane for the round-a-bout, I think people will be pleasantly surprised. There is a future round-a-bout that is planned at Waketon and Chinn Chapel, but that is part of a different project and it hasn’t been designed or authorized. It’s just a plan.
2. Update and discussion on Economic Development projects.

Mr. Stathatos provided the following economic development updates:

- **Code enforcement**: The Town has approved a Code Enforcement operational analysis that will begin November 18\(^{th}\) and it will take twelve weeks at the very most. They are going to start from beginning to end to see how we are doing, basically a gut check and see where we can operate more efficiently.

- **Market Street**: Was supposed to be open by the end of November, and now they plan to be open by December 11\(^{th}\).

- **La Madeleine**: Plans to be open by the end of November.

- There are some other announcements coming soon with high job counts, as well as other restaurants and retailers that have been continuously requested by the Town’s residents.

- This week staff will be attending and participating in the International Conference of Shopping Centers event as part of the Town’s recruitment efforts.

3. Update and Discussion on the Town’s Strategic Plan.

Mr. Dalton provided an update on the Town’s Strategic Plan identifying or noting:

- **Next steps:**
  1. evaluating objectives and performance measures to get Council to those goals
  2. implementation component of the strategic plan to Council, which includes providing Council with an opportunity to refine it and give feedback. That was originally scheduled for this month but due to the competing projects being worked on; staff is looking at next month.
  3. The overall goal is to use a strategic plan to help the Town guide decisions. He gave a few examples of that.

Walker: I am glad to see that we are moving forward and I do like the fact that all the departments will be synchronized with their objectives to meet the goals, as outlined by Council. In addition, it’s going to be reviewed each year and we’re going to have dollars attached to the specific line items and it moves in a continuum over time. It’s always going to be refreshed document, and then on a mid-year basis (in July or August) and then in January we would see if we’re on track, and why not, and if we have to take corrective measures. It will be a way for Council and staff to identify how we are doing.

Dixon: Item two is talking about the PSA. I believe I heard one of the residents talk about no parks down there. He asked Mr. Sims if the Town has done away with Hide A Way Park.

Sims: No, it is still there.
Hayden: Commented to Mr. Stone (Charter Review Commission Chair in the audience) that he would like the Charter Review Commission to look at ensuring that there have not been any state laws that have been passed that would conflict with our Town Charter.

Hayden: During last Saturday’s Mornings with the Mayor there were residents that came and spoke about Rheudasil Park and the proposed rest room, and they, like those that spoke this evening, said they had no idea it was being proposed for their neighborhood. He noted that the dog park suggestion went through the PALS Board, CDC, and Town Council, and there was very little resident feedback about the location it was going to be. Now tonight, after the fact that it has already been approved, we have resident feedback. Whatever we’re doing to notify residents of things that are happening in their neighborhood, we need to review what we’re doing because it’s not working very well.

Hayden: For Rheudasil Park, he noted the following comments from residents near that park:

- in general, the park wasn’t being kept clean to their satisfaction, and specifically on Mondays, after people have fished over the weekend, etc. there is a lot of trash
- there were questions about the maintenance of rest rooms and what are the Town’s plans to keep it clean
- they would like more lighting at Rheudasil Park
- with respect to parking for both Rheudasil Park and Dixon Park there were concerns that cars park on both sides of the street along the road by the park, which makes it difficult for other cars to get through

H. CONSENT ITEMS

Mayor Pro Tem Dixon moved to approve consent item one. Councilmember Wise seconded the motion.

1. Consider approval of Amendment No. 1 to the Fiscal Year 2013-2014 Capital Improvement Program.

RECOMMENDATION: Move to approve Amendment No. 1 to the Fiscal Year 2013-2014 Capital Improvement Program.

VOTE ON MOTION

NAYS: None.

Mayor Hayden indicated that Item 2 has been requested to be removed from the Consent agenda.
I. REGULAR ITEMS

2. Consider approval of a Professional Services Agreement with Schrickel, Rollins and Associates, Inc., to provide master planning and construction documents associated with the Green Acres Farm - Dog Park project, in the amount of $53,500.00; and authorization for the Mayor to execute same on behalf of the Town.

Hayden: Prior to staff’s presentation he indicated he would like to address some of the concerns presented first.

Hayden: One of the things that were mentioned this evening was about the road being dangerous. It was discussed in detail that over time if the road was not able to handle the traffic, that it would be part of our CIP budget in the near future to improve the road. He asked staff what could be done to make it a safer road for people that travel that area.

Stathatos: We could look at various options. It could be widened, because if you look at it, it’s about 18 – 19 feet in its normal width, so it’s about a foot narrower than Sagebrush, for example, and there are areas where it’s up to 20 feet wide. Regardless of whether the dog park goes there or not we can look at putting it on the CIP. There were funds that were allocated to put sewer through the subdivision before my time, and we received a lot of negative feedback from the residents so that was removed. I don’t believe at that time the road was discussed though. Part of the deal with the access is that if you interpret the agreement, it states that you can’t condemn any property for an alternate access point, but yet the primary property owner that we would need to purchase this property from, doesn’t want to sell it to the Town. Basically, then the park can never be utilized for anything other than what is now, and that is fine, but that is part of the dilemma, but we can talk about strategies for other access points.

Hayden: Asked the Town Manager to expand on that because in 2007 there was discussion by the Council about another entry way to access Green Acres Farm, but now it’s not a feasible option because the property owner has no interest in allowing the Town to put a road through their property.

Stathatos: We’re going to revisit that property owner, as it’s been about 5 – 6 years, so they could have changed their mind, however, it puts the Town in an awkward position because we don’t have leverage in terms of buying it nor can we condemn it.

Hayden: And that goes to the comment about being in the spirit of the gift.

Staff Presentation

Mr. Sims gave a presentation identifying or noting:

- The selection process associated with the location of Green Acres Farm, including pros and cons associated with each site, and estimated costs.
Hayden: What is the estimated number of visitors for the dog park?

Sims: I don’t know at this point as we don’t know how popular the park is going to be in Flower Mound. We are planning on building 50 parking spaces, which we believe to be adequate.

Hayden: There is concern for the cleanliness and smell associated with the park. Could you discuss how a dog park works and how it would be maintained?

Sims: Eleven dog parks were visited when the idea of a dog park was being considered. Smell was not a problem at any of the parks we went to. Dog parks are typically closed one day a week. Typically dog park owners are responsible for picking up after their pet, and for all of the dog parks we visited I asked about that, and it wasn’t an issue. People who go to dog parks are generally responsible pet owners and they police themselves. The park would be mowed once a week and if there was an issue parks staff would pick up more frequently. We would also work with Animal Control if there is an issue with pet owners not picking up after their pet. The fine is $200 in Flower Mound for not picking up after your pet.

Hayden: So it would be third party. And if once a week isn’t enough are we prepared to do it more often?

Sims: Yes, and he recollected one of the speakers indicated the maintenance was tied to sponsorship. The sponsorship was going to be nice to have, but if we don’t get the sponsorship, we still plan to fund the maintenance through the CDC, along with the O & M funds for all new park projects.

Hayden: There was a question about rest rooms and the use of port-a-potties. There are no plans to put port-a-potties out there are there?

Sims: Not at this point. If there is not sewage available out there and if we do eventually add a rest room, it would be on a septic tank.

Hayden: Another thing was the concern about the noise. When we were considering this, what were the hours being considered for the dog park?

Sims: Usually dog parks are open about 7:00 or 8:00 o’clock a.m. and close at sunset in the evenings. Some dog parks open in the evening. They have lights. But we are not proposing to put any light in the facility.

Wise: Asked for clarification on the map relative to an alternate access.

Sims: Pointed out the location on the map noting it would tie into Wichita.

Levenick: What do we pay every year on maintenance for Green Acres Park now?

Sims: I don’t have that with me but could get that to you tomorrow.
Levenick: Do we take care of that park? We’re cutting the grass, etc. because it was stated by a resident that they go and cut the grass there.

Sims: No, we have a contractor that takes care of it.

Walker: With respect to the restrictions at the time the property was conveyed to the Town, I just want to make sure we understand what the restrictions are and the level of activity of the park.

Welch: There are about 8-9 different restrictions that were part of the deed and there is some other information that could be discussed at a later time.

Walker: There was some public comment about it was supposed to be a very passive use. Dog park aside, what was some of the anticipated uses for this area?

Sims: One of the concept plans we have depicts a pond in one area of the park, and a community garden on one side. About a year ago there was discussion with Council about putting in a community garden in this park. There are two silos and a barn on the property and he noted the area staff recommended for the community garden. There was also discussion of a compost area, trails, and the old driveway around the Davis house where people walk around. There would be a pavilion, etc.

Walker: The reason I was asking is because I don’t think the vision was necessarily a dog park, or no dog park and it stays the same. From what I recall there had been conceptual enhancements like you described.

Sims: Most of what was in the plans was passive with things like walking, picnicking, community gardens, etc.

Walker: And that’s as opposed to soccer or baseball fields, etc.

Sims: Correct. Active athletic facilities.

Walker: Now Hide A Way seems to be a real issue in terms of safety, so regardless of whether or not there is a dog park, from time to time there has been some degree of concern related to safety. Has there ever been any engineering that has been done that looked at enhancing Hide A Way to make it a safer access point?

Stathatos: We have a lot of prescriptive right-of-way, but when we approach property owners about dedicating the right-of-way to improve the road we were told no. So at that point staff didn’t invest any solid engineering.

Walker: So the Town could be directed to further investigate improvements to Hide A Way to make it a safer facility.

Stathatos: Absolutely, which we would do anyway.

Sims: We proposed moving the entrance with the dog park more toward the center of the park to get away from the ends because of the concerns about the road taking a turn near where the current entrance is.
Hayden: When we went through this process it seems like everyone wanted a dog park, but don’t put it near me. As this went through the process, there was very little feedback about this site and the majority of the feedback was very positive that this would be a good location. As Council looked at Heritage Park, the residents didn’t want it there, and another location we were going to have to take down hundreds of trees. I think at this point we should reconsider the item being on the agenda tonight to make sure this is where we want it to go. I don’t think any of us were aware until the last day or two that there was any opposition to this location. Perhaps if we can’t find a suitable location for a dog park, maybe until we find a location, we just put it back out on the CIP for the future. Perhaps there is a place out west as land becomes available that no one will be impacted at the time.

Webb: One of the concerns I had when this was coming to us from PALS was did we have enough communication to the neighborhood prior to considering it. I think it’s evident from the residents that were here tonight that this is an area we need to do better on. Truthfully, I believe, and I wasn’t at the PALS meeting, but I’m going to assume they leaned toward Hide A Way because the residents from Bakers Branch expressed displeasure with Heritage Park. He expressed appreciation for those that came and spoke tonight and indicated we need to go back to the drawing board, but I want to do this quick. We have a lot of residents who are very positive and want a dog park. And it’s not a dog park – it’s a park for dog owners. A place for them to take their dogs out and socialize and to enjoy the outdoors. We’re a big enough community. I think we can embrace that part of our population that would like to have a park to take their dogs to and let their dogs run off leash while they visit, chat and play. I would ask that we get this turned around. We have already looked at existing parks. Look at other Town owned property that is not perhaps designated a park, or available open space and see what are options truly are.

Hayden: We’ve almost exhausted all of the places. I don’t know if there is access where the old tree farm used to be if that’s a possibility. As Gary was going through the list it seemed like we were exhausting the possibility.

Walker: Questioned where the dog park was listed on the list of priorities within the citizen survey.

Sims: it was the fourth or fifth most requested amenity.

Walker: So there was citizen interest in a facility like this. My concern is more about the safety and access issue. It’s a park. I don’t think the intent is a nice sleepy park that no one knows about. It’s a great facility but what is the ultimate use. That’s why I asked the question earlier about if a certain area makes sense as a dog park, what would complement a dog park where we can utilize that area. That’s a separate discussion and safety and access. I’m willing to slow down consideration regarding entering into a contract for master planning until there is a better site, but unless something happens at Canyon Falls someday for a dog park, years could go by and we still have this high on our list of citizen needs. So we have citizen needs placing this on a relatively high position. We’ve gone through
PALS twice and done the matrix along with the pros and cons of all of it. I’m willing to slow down but I would really like to get more definitive information as to if there is feasible access from Wichita Trail, and/or what would be the cost to make Hide A Way safer facility for access to this part, even if it wasn’t a dog Park.

Hayden: There is always the option of the Town acquiring lands somewhere (3 – 5 acres) for those specific needs.

Stathatos: Staff can look at any site. We were trying to be sensitive to Council’s concern relative to costs and land acquisition would impact that. We will be creative and take additional time to review it, but if anyone has any suggestions, please email me or call.

Deputy Mayor Pro Tem Webb moved to postpone the item indefinitely. Councilmember Wise seconded the motion.

Levenick: I think with the residents coming here to tell us how they truly believe Hide A Way Lane is as unsafe as they are saying it is, we have an obligation to look at that road, and start looking at improvements. If they are talking about a road where they fear their kids getting hit by cars, no one is following the speed limit, etc. we have an obligation to look at that road to see what kind of improvements are necessary.

Hayden: Summarized that two members of Council made that suggestion that we need to make that road safer.

VOTE ON MOTION

AYES: Wise, Dixon, Levenick, Webb, Walker
NAYS: None

Mayor Hayden opened items three and four at the same time.

3. Public Hearing to consider a request for a Master Plan Amendment (MPA13-0007 – East-West Connector Study, Thoroughfare Plan Amendment) to amend Section 7.0 - Thoroughfare Plan to change the designation of Sagebrush Drive between Old Settlers Road and Long Prairie Road (FM 2499) to an Urban Collector, with the Urban Collector cross-section of Sagebrush Drive being modified to require medians and turn lanes at certain specified intersections, and possibly add an Urban Collector roadway between Long Prairie Road (FM 2499) at its intersection with Firewheel Drive extending in a generally northwesterly direction to connect with Old Settlers Road near Peacock Park; and to consider adopting an ordinance providing for said amendment. (The Planning and Zoning Commission recommended denial by a vote of 5 to 1 at its October 28, 2013, meeting. The Transportation Commission recommended to change the designation of Sagebrush to an Urban Collector by a vote of 6 to 0; to modify the urban collector section to include medians at specified locations and eliminate the westbound right turn lane at Old Settlers by a vote of 4 to 3; and to eliminate the Firewheel Extension by a vote of 5 to 1 at its October 8,
2013, meeting.)

Staff Presentation

Mr. Powell gave a presentation identifying or noting:
- background information leading up to how we got here, noting an East and West connector study is how it started out even though the focus is on Sagebrush
- daily traffic counts, noting there is a 32% reduction during non-school hours
- existing and prescriptive right-of-way
- overhead utilities and power poles
- underground utilities
- existing fences
- access and homes in the area
- recommendations as presented by P & Z, PALS, and the Transportation Commission
- photographs of Sagebrush and existing conditions, noting the lack of pedestrian facilities
- proposed cross sections and turn lanes
- Sagebrush recommendations in various sections of the roadway, noting it hasn’t been final designed so there are opportunities to do things that slow down traffic, including adding some trees
- street classifications and how the street has evolved to an urban collector
- future plans for the high school (9th grade campus)
- there were many options that were discussed - and the focus will be on three:
  1. residential street
  2. leave it the way it is
  3. modified urban collector, which adds necessary elements for traffic calming
- in each one of these there is right-of-way width, pavement width, curb and gutter, sidewalks, traffic calming, capacity, and he provided a graphic as to how it looks for each
- there are three components associated with Sagebrush at various locations
- traffic calming options, including the option for medians and trees
- trail options
- correspondence received

His presentation is as follows:
Background

<table>
<thead>
<tr>
<th>Date</th>
<th>Board Name</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 17</td>
<td>Town Council (TC) &amp; Transportation Commission (TRC) joint work session</td>
<td>TC asked the TRC to look into possible options for improvements to Sagebrush</td>
</tr>
<tr>
<td>July 9</td>
<td>TRC work session</td>
<td>review of alternatives</td>
</tr>
<tr>
<td>September 5</td>
<td>PALS work session</td>
<td>consider Trails Amendment</td>
</tr>
<tr>
<td>September 9</td>
<td>P&amp;Z work session</td>
<td>consider Thoroughfare / Trails Amendment</td>
</tr>
<tr>
<td>October 3</td>
<td>PALS recommendation</td>
<td>Parks and Trails Master Plan Amendment</td>
</tr>
<tr>
<td>October 8</td>
<td>TRC recommendation</td>
<td>Thoroughfare Plan Amendment</td>
</tr>
<tr>
<td>October 28</td>
<td>P&amp;Z recommendation</td>
<td>Parks and Trails &amp; Thoroughfare Plan Amendment</td>
</tr>
</tbody>
</table>
Existing Constraints

- Right-of-way
  - Approximately 50'-60' available
- Overhead utilities
  - Narrowest point between power lines is 55 feet
- Access
  - Many private residential driveways
- Underground utilities
- Mailboxes/fences
  - Fence line on the south side of Sagebrush Drive
**Street Classification**

- **Local Residential Estate**
  - Distribute traffic to and from residential areas. They are short in length and non-continuous to discourage through traffic. In order to retain a more rural character swales are used to convey drainage.

- **Local Residential Urban**
  - Distribute traffic to and from residential areas. They are short in length and non-continuous to discourage through traffic. Roadway drainage is provided by curb and gutter and storm sewer.

- **Urban Collector**
  - Connect residential and commercial areas to the arterial system and collect and distribute traffic from these areas. They carry less traffic for shorter distances than arterials and carry traffic to and from areas rather than through them. Roadway drainage is provided by curb and gutter, and storm sewer.

**Options**

<table>
<thead>
<tr>
<th>Item</th>
<th>Residential Estate</th>
<th>Residential Urban</th>
<th>Collector Urban</th>
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<tr>
<td>Row Width</td>
<td>20'</td>
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<tr>
<td>Pavement Width</td>
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<td>60'</td>
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<tr>
<td>Curb &amp; Gutter</td>
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<td>Yes</td>
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<tr>
<td>Sidewalks</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Traffic Calming</td>
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<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Capacity</td>
<td>n/a</td>
<td></td>
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<tr>
<td>Vehicular Safety</td>
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<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Pedestrian Safety</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Vehicular Speed</td>
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<td>higher</td>
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</table>
Sagebrush Recommendations

**Sagebrush Drive - Median**

Sagebrush Recommendations

**Sagebrush Drive near Old Settlers**

Trail Clean Up Items

- Homestead
  - Change from Future to Existing

- FM 3040 (Lake Forest - Morris)
  - Trail section width built but was not on the plan
  - Existing for entire length between Morris and FM 2499
Walker: Asked for clarification that the bottom slide was recommended by Kimley-Horn & Transportation.

Powell: Yes, and it is what the Transportation Commission recommended (the modified urban collection). P & Z recommended not bringing forward that recommendation.

Walker: Asked for clarification as to what is the modification from a standard urban collector.
Powell: The modification is really dealing with the lanes. Typically they would be 13. We think we can get them down to 12 and to fit in the 55 feet in between the power poles. It’s also about what happens in the Parkway. He pointed out the plans are a conceptual design. Issues still need to be worked out with the design plan. If we did go forward we would suggest that it follow the same process as it did with West Windsor with neighborhood meetings to look at the plans as they are going along, including meeting with them in a series of meetings as the plans are designed.

Walker: Clarified that staff and the Transportation Commission is recommending the modified urban collector. One of the issues that continued through both of those hearings was the drag strip and the safety, and then the calming design. He asked Mr. Powell to demonstrate how the calming affect will tend to reduce this speeding and drag strip phenomenon.

Powell: Studies have shown that when you have those vertical elements it causes people to slow down. It gives drivers visual clues that prevent speeding.

Wise: For the picture with the westernmost intersection and the additional lanes that are proposed, my question is the center lane that looks like it’s going to go straight to the school. What is the purpose of that being there, as it seems like one of the other two lanes could serve the same purpose, and it appears that lane only has a purpose one or two hours a day during school hours. I have seen places where a lane will go straight and turn, normally controlled by the light timing. I was wondering if that additional lane eats into the right-of-way or does more right-of-way have to be acquired to do that.

Hotelling: It is in the right-of-way. We’ve worked on this corner of the intersection. Originally we had wider lanes in a wider median and the sidewalk portion went over the right-of-way. We worked at this, adjusting the lanes to fit everything within the right-of-way.

Powell: What happens, especially with that ninth grade drop off, people get very impatient and although it is for peak hours, people wanting to turn left versus turn right versus go straight, we think it can work and in the long run it will have a benefit. We think we can do it without really destroying the adjacent properties. It is a different condition that is out there today but he recollected the bus coming around the corner picture. It’s hard right now to not have all those lanes.

Webb: The thought I had was if you could scale it back, that’s probably a good idea. Taking Sagebrush, especially the part that is west of Devonshire and making that whole section from Devonshire West one way West. That would allow Devonshire and that whole subdivision to continue to exit out to 2499 as they do today, or if they go north out the other way that fine. He requested Mr. Powell talk about that and noted it’s a drastic change. He pointed out that drivers will find a new way so if we were to entertain something like that, grant it there would be some disruption on the local residents along Sagebrush. Where do you see that traffic going and flowing?
Powell: Demonstrated traffic flow patterns on a map and noted what the Transportation Commission was looking at, as well as the consultants, and felt pretty certain that it really is too long to be one way and it would inconvenience a lot of people. In addition, it doesn’t provide that East and West connector. There is too much distance between Churchill and 3040, and the use of the high school, and even Wellington, not to have another road. If you’re not going to punch through Firewheel Drive, then Sagebrush, by default, really is going to become that roadway. I think it’s going to continue to do that.

Hotelling: In addition, anybody West of Devonshire, any time they left their neighborhood they would have to go West, so any time they came back they would always have to go through 2499 and Sagebrush to come back through the neighborhood to go back to their homes and that would be inconvenient for the residents that live West of Devonshire.

Powell: In reading the correspondence there are a lot of people that have lived on the road for a long time. I do feel like their concern is that it was never supposed to be a through Street. Then when the high school was built traffic was going to go out to Churchill. There are a lot of good historical points; however, the problem today is it is a through Street. The high school is there. We think it’s going to get worse with the ninth grade drop off center. It doesn’t alleviate what happened in the past but what is going to happen today. If you drive the area, it really is a roadway that needs to be upgraded.

Hayden: Asked if he knew when the road was built and what kind of traffic it was originally designed for.

Powell: We believe it’s been there since the 1970s and he pointed out at that time there were many roads built like this. He gave the example of Dixon and Waketon.

Hayden: Is this road safe for 4200 cars a day and with the expectation that there will be even more traffic in the future?

Powell: If you look at functionality it’s between a big thoroughfare and Old Settlers carries a lot of traffic, and it is really not designed for that.

Hotelling: 11 foot lanes if it’s 22 are typically safe. You do have some delivery trucks and buses that pass each other that make it uncomfortable to be out there. Is it completely unsafe? No. But is it uncomfortable? Yes.

Mayor Hayden opened the Public Hearing for items 3 and 4 at 8:25 p.m.

Public Participation
(names listed below are not necessary in the order in which they spoke)

Linda Martin, 2849 Sagebrush, Flower Mound, TX 75022
Ms. Martin noted that everyone in the neighborhood wants some improvement, however, with the least impact. She indicated she is a realtor and is concerned that if
the urban collector route is taken it will impact property values. She questioned if anyone could show them a situation where there was a similar subdivision such as theirs and what happened once the road became an urban collector, preferably in Flower Mound.

Dottie Kammerer, 2869 Sagebrush, Flower Mound, TX 75022
Ms. Kammerer stated she is not in favor of the urban collector. She is for improvements on the street as well as sidewalks and the trail to make it safer. She would like to see some type of grass area between the street and sidewalk so the kids aren’t put in the street. She noted she has a 30’ magnolia tree and she is concerned as to what will happen to the roots of the tree if it gets widened to an urban collector. If changes are forthcoming they need to be with the most minimal impact.

Christine Howard, 2900 Sagebrush Dr, Flower Mound, TX 75022
Ms. Howard indicated she is against the urban collector. She recognizes something has to be done to the street. She was in favor of an improved street with sidewalks and trails, however, not 8’ wide.

Tad Marko, 2829 Sagebrush Dr, Flower Mound, TX
Mr. Marko stated his preference is to try and minimize the impact of what is to be done. He stated not having heard many unconventional solutions, and even the conventional solutions haven’t been fully discussed. He indicated he hasn’t heard anything about what will help those homeowners that have to back out into Sagebrush when accessing the road. He suggested disconnecting Sagebrush where it is no longer a through street.

Stacey Jarmon, 3108 Jaclamo St, Flower Mound, TX 75022
Ms. Jarmon stated she attended the Transportation meetings. Please take into account the residents that do use Sagebrush. She asked that the Council look at the facts from the traffic study counts and the fact that the future ninth grade center is coming. When you’re talking about right-of-ways, you’re talking about ditches that aren’t really used anyway.

Maxie St. Cyr, 3200 Sagebrush Dr, Flower Mound, TX 75022
Ms. Cyr stated the problem they are seeing is that other urban collectors don’t abut driveways. We do want a safer road that is a little wider and we want sidewalks. The biggest issue is backing out of our driveways and if the road is too wide people will drive faster.

Anita and Raymond Didier, 3104 Sagebrush Dr, Flower Mound, TX 75022
Mr. Didier spoke against Sagebrush as an urban collector because it presents an unsafe situation with people backing out into the street. Also, if sidewalks are added homeowners exiting their property would have to watch for pedestrians on the sidewalks.

Don McDaniel, 3801 Hide A Way, Flower Mound, TX
Mr. McDaniel pointed out Sagebrush is unsafe and it needs to be made safer and more accessible.
Janvier Scott, 2829 Bob White Ln, Flower Mound, TX 75022
Ms. Scott indicated the Firewheel extension affects her. She indicated she is against the Firewheel extension because of the property value impact, and cost to put in.

Michael and Linda Thornley, 2969 Sagebrush Dr, Flower Mound, TX
Mr. and Mrs. Thornley indicated they were in favor of sidewalks. For the speeding issue she liked the idea of making the street a school zone speed at certain times. Mr. Thornley pointed out that he witnessed a school bus have a head on collision with another vehicle, so something needs to be done. He spoke against the major urban connector and if expanded it will be inviting cars. He stated being acceptable to just the two lanes.

Richard and Debra Heinsius, 3004 Sagebrush Dr, Flower Mound, TX
Ms. Heinsius recollected a recent accident they experienced in front of their home. She also stated their mailbox has been hit four times. They expressed interest in putting in things that calm traffic, however, they don’t believe they need a 12 foot median, however, there needs to be a modifier applied. Options such as reducing the median and reducing it to one sidewalk would be acceptable.

Tom Marshall, 3200 Heatfield Dr, Flower Mound, TX
Mr. Marshall commented the notification process is broken. The residents on Sagebrush first became aware of this study because of an online newspaper. We do agree with the P & Z recommendation on item 3 and 4. We do not agree with the Transportation Commission. He pointed out the study conducted does not address Peters Colony. We want an improved two-lane road with sidewalks, but we don’t want the median. We are asking the Town Council to go back to the drawing board and get the input from the residents.

Mark and Jill Tuttle, 3000 Sagebrush Dr, Flower Mound, TX 75022
Ms. Tuttle stated they are against this item. She indicated they don’t believe the Ninth Grade Center will bring more traffic, as it’s the same amount of students that exist today. They want to have a safe street and stated it is unique. She questioned if there is a mixture of options that could be done to deter traffic instead of bringing in more traffic. Mr. Tuttle suggested making all of Sagebrush a school zone. She pointed out that when they moved in buses were not allowed and asked that perhaps that could be revisited. We would like to have at least one sidewalk. We are against the medians. We’re against the turn lanes that will only be needed for an hour and a half a day for the schools and unnecessarily take property for the right-of-way.

Hayden: You have to build the road for the busiest time of day. I learned that when we were talking about the southern part of Gerault. So for trying to find middle ground are you against us trying to put curbs on the side and smooth it out and make it where you won’t tilt over into the bar ditch.

Ms. Tuttle commented she believes that invites more traffic.

Hayden: As the Town grows we have to find ways for traffic to flow East and West.
R. B. Wilson, 3005 Oak Meadow Rd, Flower Mound, TX 75028
Mr. Wilson indicated it is his recommendation, given the extracurricular activity at the high school, that there is a safety issue where the Town has to expand the street. The improvements are needed and the medians are needed, however, not as wide as presented. He pointed out that at times the road gets backed up to Old Settlers. He noted the multi-use trail system should be parallel where you only need one sidewalk once the trail system is introduced.

Simon Hollinghurst, 3011 Sagebrush Dr, Flower Mound, TX 75022
Mr. Hollinghurst spoke for sidewalks on Sagebrush as the goal of everyone is to make the street safer but to minimize the impact for the homeowners.

Tami Ryan, 3109 Gremar St, Flower Mound, TX
Ms. Ryan noted that if a median is going to slow the drivers down then that is a good thing. She stated if you’re just asking for a two lane straight road people are going to speed. She stated her biggest concern is the Firewheel extension as there is no reason to add a connection to Old Settlers.

Sharon Gentry, 2750 Bob White Ln, Flower Mound, TX 75022
Ms. Gentry noted the Firewheel area is a part of this issue. She pointed out having seen Peacock Park flood on three occasions. She said she can’t imagine how the Town would justify building a bridge in a flood plain which dead ends into Old Settlers. She said this has been brought up three times in the past, however, it never moved forward because the Town didn’t deem it as feasible to take the road through this long wide floodplain at Old Settlers. She pointed out some of the consequences that might follow as a result of it coming through. She requested removal of the Firewheel connection as part of the discussion from the master plan.

Mayor Hayden closed the Public Hearing at 9:36 p.m. and summarized the consensus of the majority of speakers is to do the road improvements, however, with minimal impact to the homeowners, and to have the work done in such a way as to not detract from the scenic environment that exists there today.

Town Council recessed at 9:37 p.m. and reconvened at 9:50 p.m.

Mr. Powell reiterated the street presented is a modified collector and there are opportunities to look at other things. What the medians do is add the traffic calming that will slow down the traffic, and furthermore, they will be mountable. He also pointed out that for the modified collector, the median doesn’t have to be 12 feet wide, and noted that what is proposed is within the existing right-of-way where no property is being taken. He reiterated what is being shown is conceptual only. He pointed out various elements that will remain the same even after the road is in.

Hayden: Summarized that it is universal that something needs to be done to the road.

Powell: While it might not have been recommended to have a sidewalk on both sides,
ADA requirements might dictate otherwise.

Powell: Summarized some of the elements with the roadway:
- no right-of-ways needed;
- cost savings is minimal between the various options and he noted the funding sources for local streets is the General Fund, however, funding sources for a collector street is either the General Fund or the CIP;
- most of the trees are within the 55’ so a majority of the trees may be able to be saved;
- and traffic calming elements.

Powell: Noted that at P & Z there was some discussion about leaving it the way it is and just making the police go out there and enforce it. I think that is bad policy if we’re coming up with a design that the only way it works is to commit the police to be out there forever. We tried to be creative and think outside of the box. That is what this modified section does.

Walker: Asked for clarification regarding the notification requirements for public hearings.

Powell: The legal requirement for both items was a notice in the paper and that has been done. And if we go forward with this modified collector we would meet with the affected property owners at regular intervals when plans are drawn up.

Walker: Clarified the notification process and that the Town wouldn’t notice something like signing a contract for janitorial service, for example.

Hayden: This means there would be an opportunity for public input and Council would ultimately approve what the design is going to be.

Webb: Commented he heard residents had concern about property values and there is also a concern about safety. He indicated he heard from almost everyone that we have to do something. There are already a lot of cars on this road and traffic has been building. The new ninth grade campus and how it’s configured will add traffic. He stated using the modified route makes sense. He suggested that when staff goes back to work through the details, don’t get stuck on a wide median to support a root ball on a tree dictate what works for that neighborhood. You want some vegetation to encourage folks to slow down, but I don’t think we necessarily have to line it up with a bunch of maples or oaks. For the issue about backing out of driveways – if they are doing it today, they will be when it’s done. I would also ask that you check the ADA requirements and if we can do a sidewalk on one side, let’s do it and reduce the impact to the residents in the area. We need to also be cognizant of the safety of those using the roads (vehicles and pedestrians).

Wise: I like the modified version and would like the medians to be as slim as possible. I want to make sure we only use the existing right-of-way that is there. I don’t want to take anyone’s property. For the sidewalks, if there are ADA requirements we should go ahead and place them on both sides and it seems like there is more
popularity for an 8 foot on one side. For the discussion about the medians, there was the idea about moving the medians around to take less of the driveways for the existing people. I would like us to do that in a way to reduce the amount that we take.

Dixon: For the Firewheel connection to Old Settlers I thought it ended in about 2007 when Adams Estates went in because it doesn’t make any sense for that to be on the thoroughfare plan because it would go through Peacock Park. All of the options before us tonight were urban collectors so tonight when people are we talking about different things, in my mind I was thinking, well, you want this, but you don’t want an urban collector, but that is what you are talking about. Medians at strategic locations (which is option two) helps the aesthetics and promotes lower speeds, which seems logical and planning meetings with resident input would be important. We can do that. I’ll be looking forward to hopefully coming to a resolution here tonight with Council, and giving direction to staff to move forward with certain parameters where they can come up with good ideas with feedback from the residents.

Levenick: When the issue of an unsafe street is brought before us we have an obligation to make the road safe for the residents. She stated being in favor of a designation of an urban collector as it would allow it to be paid for out of the CIP. She is in favor of the medians, however, would ask that they not be 12 feet wide. She pointed out she’s not in favor of taking anyone’s property, however, the Town already owns that property and all that is being done now is improving the roadway. She commented while it might not have been designated as an urban collector on a piece of paper, the road has been used like one as soon as Flower Mound High School went in at the other end of it. She noted not being in favor of closing off the road given its used by many Flower Mound residents. She would like to see sidewalks on both sides of the road because five years later people may realize they don’t have a safe way to cross the road. For item number eight we didn’t talk about trails segment that are part of this motion with Lake Forest Boulevard and Morriss Rd., so I would like to talk about that. For Firewheel I think the general consensus is no one is in favor of that, but it is part of the item and part of the motion so it needs to be discussed, in addition to the other part of item #4 with Morriss Road at Homestead and Lake Forest.

Powell: Gave a presentation identifying or noting:

- it is a cleanup items in that both of these trail segments are actually built so it really is to get the map current with what is actually constructed
- we have talked about the trail as it relates to Sagebrush - it would come up and tie in where SPA2 is and come across

Powell: For the statement about the right-of-way, he clarified on a map the various right-of-ways and he pointed out the prescriptive right-of-way area. Earlier he noted the property owners to the street and what he should have said was that the design would fit where the walls are (the prescriptive right-of-way). It’s been the Town’s practice to actually purchase the right-of-way to clear up the title to it, which benefits the property owners because they wouldn’t have to pay taxes on it. It is right-of-way that would need to be acquired because it is prescriptive.
Hotelling: What is being recommended on the trails master plan is that the trail coming out of SPA 2 has a southern connection to it that will continue the trail North, and he pointed out on a map the part that is being recommended as new. There is currently a trail on the north side that would normally handle that function, which is being recommended to be taken away, because it will have the southern connection to it, and along with that connection you would get rid of the mid-block crossing. Then the southern trail takes you to the light where you have the pedestrian signals to cross.

For the Firewheel extension there were different alignments considered. He pointed out an option B and then another one that took you up to Sagebrush. Item that took you from Firewheel and connected up into Sagebrush didn’t really take any traffic off of Sagebrush - It just meant you went partway down the street, then you went south. As part of SPA 2 there is already a package road in SPA2 that takes you from Sagebrush that ultimately is to connect you into the Firewheel Drive near where they talked about the Black Walnut going in. That one is already in the plan using the backage road. Now we’re left with two options. Looking at option A and option B, option A actually aligns with the signal at Firewheel so it would have a tendency to draw some of the folks off of Sagebrush. If you look at the East-West connector study it shows either A or B, takes between 30 - 50% of the traffic off of Sagebrush. Option B is closer to the 30% and option A is closer to the 50%. Reason being, if you use option B it’s a right in and right out so you don’t have the benefit of being able to get to the signal to get out to go left. Whereas option A brings you in and takes you to the signal where you can go in any direction you need to go. It was mentioned earlier about the floodplain on the Western end by Peacock Park, which it would need to have a bridge structure. There is a trail segment that would probably go along with that bridge. It is a fairly expensive bridge as it was somewhere around $3.3 million just for the bridge itself, and that would not include any right-of-way purchase, etc. It would also have to go through Firewheel Village so we would end up having to purchase the piece of the fire lane that goes through Firewheel Village from the signal back to where we would continue it on to the West. It does have the effect that it would take traffic off of Sagebrush, however, it would go through some of the more rural and rustic areas of Town and some of the correspondence from the neighborhood demonstrated their view of what they see out the back.

Mayor Pro Tem Dixon moved to approve Master Plan Amendment (MPA13-0007 – East-West Connector Study Thoroughfare Plan Amendment) to amend Section 7.0 - Thoroughfare Plan to change the designation of Sagebrush Drive between Old Settlers Road and Long Prairie Road (FM 2499) to an Urban Collector, with the Urban Collector cross-section of Sagebrush Drive being modified to require medians and turn lanes at certain specified intersections, and adopt an ordinance providing for said amendment. I further move that the Master Plan not be amended at this time to reflect any modifications to the Firewheel Drive extension and any proposed East-West connections. Councilmember Webb seconded the motion.

Hayden: inquired about next steps.
Hotelling: If approved, we would do a CIP amendment in December to do a design, which would take several months, and then we would look at the possibility of construction money next fiscal year.

Hayden: I would like the resident participation to be similar to what it was when Morriss road was designed.

**ORDINANCE NO. 54-13**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 7.0 THOROUGHFARE PLAN OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, THROUGH THE AMENDMENT OF SECTION 7.0 THOROUGHFARE PLAN BY CHANGING THE DESIGNATION OF SAGEBRUSH DRIVE BETWEEN OLD SETTLERS ROAD AND LONG PRAIRIE ROAD (FM 2499) TO AN URBAN COLLECTOR ON THE THOROUGHFARE PLAN MAP ATTACHED TO SAID SECTION 7.0 AS AN APPENDIX, AND BY MODIFYING THE URBAN COLLECTOR CROSS-SECTION FOR SAGEBRUSH DRIVE TO REQUIRE MEDIANS AND TURN LANES AT CERTAIN SPECIFIED LOCATIONS; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

NAYS: None

4. Public Hearing to consider a request for a Master Plan Amendment (MPA13-0008 – East-West Connector Study, Parks and Trails Master Plan Amendment) to amend Section 5.0 – Parks and Trails Plan to: possibly add a future 8-foot wide multi-use trail along the north side of Sagebrush Drive between Old Settlers Road and a location approximately 100 feet west of Devonshire Court; add a future 8-foot wide multi-use trail along the south side of Sagebrush Drive between a location approximately 100 feet west of Devonshire Court and Long Prairie Road (FM 2499); delete the trail crossing Sagebrush Drive at a location approximately 100 feet west of Devonshire Court; change the designation of the trail along Homestead Street between Morriss Road and a location approximately 415 feet east of Morriss Road from a “future” 8-foot wide multi-use trail to an existing 8-foot wide multi-use trail; add an existing 8-foot wide multi-use trail segment along Flower Mound Road between Lake Forest Boulevard and Morriss Road; possibly delete the future 8-foot wide multi-use trail along the north side of Sagebrush Drive between Long Prairie Drive (FM 2499) and a location approximately 100 feet west of Devonshire Court; and change the number of trail miles in the Parks and Trails plan to reflect such modifications; 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 October 28, 2013, meeting. The Parks, Arts and Library Services Board recommended approval of the proposal as presented by a vote of 6 to 0 at its October 3, 2013, meeting.)*
Staff Presentation

Powell: Item 4 is to move the trail segment that was pointed out and was also discussed by Mr. Hotelling. It’s a trail component of the East-West connector and the idea that we can get a trail across Sagebrush is possible and we will look, but I don’t think we have the ability to do that in the right-of-way.

Councilmember Webb moved to approve Master Plan Amendment (MPA13-0008 – East-West Connector Study, Parks and Trails Master Plan Amendment) to amend Section 5.0 – Parks and Trails Plan to: add a future 8-foot wide multi-use trail along the south side of Sagebrush Drive between a location approximately 100 feet west of Devonshire Court and Long Prairie Road (FM 2499); delete the trail crossing Sagebrush Drive at a location approximately 100 feet west of Devonshire Court; change the designation of the trail along Homestead Street between Morriss Road and a location approximately 415 feet east of Morriss Road from a “future” 8-foot wide multi-use trail to an existing 8-foot wide multi-use trail segment along Flower Mound Road between Lake Forest Boulevard and Morriss Road; delete the future 8-foot wide multi-use trail along the north side of Sagebrush Drive between Long Prairie Drive (FM 2499) and a location approximately 100 feet west of Devonshire Court; and change the number of trail miles in the Parks and Trails plan to reflect such modifications, and adopt an ordinance providing for said amendment. Councilmember Walker seconded the motion.

ORDINANCE NO. 55-13

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 5.0 PARKS AND TRAILS PLAN OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, THROUGH THE AMENDMENT OF SECTION 5.0 PARKS AND TRAILS PLAN BY REVISIGN THE NUMBER OF MILES OF MULTIUSE TRAILS, BY ADDING AND Deleting CERTAIN TRAIL SECTIONS ALONG AND ACROSS SAGEBRUSH DRIVE AND FLOWER MOUND ROAD (FM 3040) AND BY AMENDING TRAIL SEGMENT DESIGNATIONS ALONG HOMESTEAD STREET BETWEEN MORRISS ROAD AND APPROXIMATELY 415 FEET EAST OF MORRISS ROAD FROM “FUTURE” TO “EXISTING” PAVED MULTI-USE AS REFLECTED ON FIGURE 5.4, “TRAILS MASTER PLAN.”

VOTE ON THE MOTION

NAYS: None

5. Public Hearing to consider a request to amend the Town’s SMARTGrowth program (LDR13-0002) by amending Subparagraphs (b) and (c) of Section 98-74 “Evaluation” of the Code of Ordinances, to remove the preparation of pass/fail worksheets for water and wastewater capacity; and by amending the
“SMARTGrowth implementation manual” by deleting the pass/fail worksheets for treated water supply, water pumping, wastewater treatment, wastewater lift station pumping, and wastewater interceptor capacity from said manual, 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 October 28, 2013, meeting.)

Staff Presentation

Mr. Powell gave a presentation identifying or noting:
- background information, noting the Town’s been using parallel systems - one that is the original system, which is paper, and the new one is a model, so we have been using dual systems for the last couple of years. With the SMARTGrowth and P & Zs knowledge and approval, now we’ve had two years of running the two systems. We know the old system still works, but the new system is better. So we’re just deleting the paper and we’re going to continue with the model. We’re not adding anything because we’re already doing the model. We are only changing the method of analysis from paper to computers
- Review process is in place for all the stages of development to make sure we have adequate water supply, pumping capacity, sewer capacity, etc.
- He described in detail the process associated with each analysis in the various systems
- The proposed change involves getting rid of the spreadsheets and going with the model
- how the model works and the data points as a result of the model and there is a much more robust analysis that comes from using the model versus the sheets, such as telling you how much capacity is needed
- update and calibration for the system is in place
- the worksheets are duplicate to the modeling
- there were no comments from the public received

Webb: For the comment about biannually and as completed developments are added - What happens if we have a significant piece of property that gets changed in the master plan and it gets zoned, but it’s not yet completed. How is that reflected for the next project coming in?

Powell: As each application comes in, they pay us to update that model.

Webb: So we are doing it when a completed development is added. What does that mean? Does that mean it is added when the development is completed, or when it has gone through the application process and then it’s added?

Powell: Both ways. We look at both - what is in the pipeline and what is there.

Webb: I’m worried about the pipeline.

Powell: We look at both. On the actual flows we want to know what is built, but we also look at what’s coming down the pike.
Walker: So the model is updated biannually but you are constantly providing data to the model.

Powell: Correct

Mayor Hayden opened the Public Hearing at 10:40 p.m.

Public Participation

Randal Wilson, 3005 Oak Meadow Rd, Flower Mound, TX
How does the model accommodate the worse times such as the 100-year flood on wastewater management?

Mayor Hayden closed the Public Hearing at 10:41 p.m.

Powell: One of the biggest issues for sewer systems is inflow and infiltration because if you do have that it can really lead to volumes. That is looked at in calibrated in our model.

Parr: We have seven existing flow meters in the wastewater system that monitor continuously so once a year we give that to the people who run our model and they incorporate that inflow and infiltration into the model. That said, we are also spending money where we are identifying points of inflow and infiltration so at the same time we are trying to eliminate them. So those flow meter readings during rain events, and comparing rain events to dry events, is the amount of infiltration and inflow that is coming into the system on an annual basis. That is calculated and thrown into the model for consideration.

Walker: And is that part of the biannual update?

Parr: Yes.

Councilmember Levenick moved to approve a request to amend the Town’s SMARTGrowth program (LDR13-0002) by amending Subparagraphs (b) and (c) of Section 98-74 “Evaluation” of the Code of Ordinances, to remove the preparation of pass/fail worksheets for water and wastewater capacity; and by amending the “SMARTGrowth implementation manual” by deleting the pass/fail worksheets for treated water supply, water pumping, wastewater treatment, wastewater lift station pumping, and wastewater interceptor capacity from said manual, and adopt an ordinance providing for said amendment. Councilmember Wise seconded the motion.

ORDINANCE NO. 56-13

REMOVE THE PREPARATION OF PASS/FAIL WORKSHEETS FOR WATER AND WASTEWATER CAPACITY BECAUSE SUCH WORKSHEETS ARE DUPLICITOUS OF THE COMPUTERIZED MODELING UPDATES; AND BY AMENDING THE “SMARTGrowth IMPLEMENTATION MANUAL” BY DELETING THE PASS/FAIL WORKSHEETS FOR TREATED WATER SUPPLY, WATER PUMPING, WASTEWATER TREATMENT, WASTEWATER LIFT STATION PUMPING, AND WASTEWATER INTERCEPTOR CAPACITY FROM SAID MANUAL; MAKING FINDINGS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Wise, Dixon, Levenick, Webb, Walker
NAYS: None

J. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

K./L. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 10:44 p.m. on November 4, 2013, 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 12:32 a.m. on November 5, 2013, 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.

No action taken.
d. Performance review of Town Attorney.

No action taken.

M. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 12:33 a.m. on Tuesday, November 5, 2013, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

[Signature]
THOMAS E. HAYDEN, MAYOR

ATTEST:

[Signature]
THERESA SCOTT, TOWN SECRETARY