

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING; TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT SPECIAL MEETING; AND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING HELD ON THE 16TH DAY OF DECEMBER, 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
Gary Sims	Executive Director of Community Services
Doug Powell	Executive Director of Development Services
Ken Parr	Director of Public Works

A. CALL REGULAR MEETING TO ORDER

Mayor Hayden called the regular meeting to order at 6:02 p.m.

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

Mayor Hayden gave the invocation and led the pledges.

D. PUBLIC PARTICIPATION

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

Tom Hayden, 4213 Huntwick Lane, Flower Mound, TX

Tom Hayden (Mayor), representing himself individually recited a "Year of the Bible" proclamation.

Shirley Belcher, 2272 Grandview Dr, Flower Mound, TX

Ms. Belcher pointed out that at her age it's very important they have a place they can congregate to share stories and play games.

Ron Robertson, 2508 Creekhaven, Flower Mound, TX

Mr. Robertson expressed appreciation for having the seniors in motion program. He pointed out that parking at the current senior center is a problem. He noted

being pleased with the proposed new center as it will have additional parking space to accommodate their needs.

Paul Stone, 709 Lake Bluff, Flower Mound, TX 75028

Mr. Stone indicated he was the chair of the Charter Review Commission. He provided background information about the work that has been done to date. He announced upcoming meeting dates, including the public hearing dates of January 11th and 17th.

Tanner Wilson, 4925 Creekwood Dr, Flower Mound, TX

Mr. Wilson provided an update on Flower Mound resident and NHL hockey player Chris Brown. He further added that Flower Mound could benefit from having an ice rink.

J. Hand, 106 Red Oak Ln, Flower Mound, TX 75028

Mr. Hand announced he is a candidate in the upcoming election for Justice of the Peace and he outlined some of the responsibilities of that office.

Mary Kay Walker, 3229 Oak Meadow, Flower Mound, TX

Ms. Walker expressed appreciation for the work of Council and staff for the senior center. She provided background information about the activities that take place at the senior center. She also described the many roles that seniors play and how they contribute to the overall community. She pointed out that since 2009 it was always their belief that TIRZ funding would be used to build the new senior center.

Carol Kohankie, 4312 Lauren Way, Flower Mound, TX

Ms. Kohankie invited the public to donate books to the Friends of the Library as there will be a book sale in mid-January. In addition, she announced that on January 7th there will be a fund raiser for the Friends of the Library at Fish City.

E. PRESENTATIONS

1. Proclamation and presentation of HomeTown Hero banner to Leland Mebine.

Mayor Hayden recognized Mr. Leland Mebine for his military and community service by reciting and presenting a Proclamation in his honor.

2. Performance from Marcus High School's choral ensemble, Fusion.

The Marcus High School choir ensemble gave a vocal performance.

F. ANNOUNCEMENTS

Deputy Mayor Pro Tem Webb gave the following announcements:

1. Expressed appreciation for Mr. Leland Mebine and for his many contributions in the Town.

2. Commented about an event that took place this past weekend that was a good follow up to the Community Conservation Drug Summit that took place in August. He pointed out that one of those panels was focused on education and he identified individuals who served on the panel, including representatives from LISD and Serenity High School (a high school in McKinney who helps kids who have had substance abuse problems get back in school in a safe environment). Since the summit there have been a number of conversations and up until now LISD has not been a district that has been a participant with Serenity High School. That is changing. That is one of the good things that came out of that summit.

G. TOWN MANAGER'S REPORT

1. Update and status report related to capital improvement projects.

Mr. Stathatos offered the following capital improvement projects update:

- Earlier tonight the TIRZ Board approved the senior center so it will be moving forward to the Town Council and we're still on track.
- Reported on the efforts that took place by public works and emergency response personnel during the recent ice storm.

Walker: For the ice storm he noted having received a few phone calls about the farm to market roads and there was some confusion about whether it is the Town or TxDOTs responsibility. Secondly, what are the priority guidelines on clearing roadways for interior streets?

Parr: TxDOT is responsible for the farm to market roads but, like us, they have limited capabilities so they concentrate on the main highways (interstate and US highways) so it's up to the Town to address the farm to market roads in Flower Mound. We can't clear all of them but we concentrate on the intersections or hill areas on all of our major arterial streets. Then if we get all of those covered then we will start moving on to secondary arterial streets. We do not have the manpower or the equipment to get into residential neighborhoods, however, the exception is in the event of an emergency where police and fire needs assistance getting in and out of a residential neighborhood. We do participate then. He also pointed out the equipment and methods that are used to clear the roads.

2. Update and discussion on Economic Development projects.

Mr. Stathatos offered the following economic development projects update:

- Crestron Southwest had their ribbon cutting yesterday. It's a 300,000 state of the art square foot facility
- La Madeleine is scheduled to open at the end of January
- Market Street is now open
- Announcements coming soon for other projects

Hayden: Stated that in the future he would like to see more Christmas lights around Town and to give some consideration as to what can be done to encourage the holiday spirit. He suggested bringing forward a line item in the budget if need be. It's something we can do to encourage people to shop in Flower Mound because so many retailers depend on this time of year.

H. CONSENT ITEMS

Mayor Pro Tem Dixon moved to approve by consent Items 1 – 16, and Councilmember Levenick 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.

1. **Consider approval of the minutes from a regular meeting of the Town Council; Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting held on November 18, 2013**

RECOMMENDATION: Move to approve the minutes from a regular meeting of the Town Council; Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District Special meeting; and Crime Control and Prevention District Special meeting held on November 18, 2013.

2. **Consider approval of the minutes from a work session of the Town Council held on November 21, 2013.**

RECOMMENDATION: Move to approve the minutes from a work session of the Town Council held on November 21, 2013.

3. **Consider approval of a contract with Sun Life Financial in the amount of \$401,929 for reinsurance coverage for the Town's Group Health Plan.**

RECOMMENDATION: Move to approve a contract with Sun Life Financial in the amount of \$401,929 for reinsurance coverage for the Town's Group Health Plan.

4. **Consider approval of an Interlocal Agreement with Lewisville Independent School District (LISD) for additional School Resource Officers (SRO), and provisions for equal contributions from LISD and the Town to cover the cost of salary and benefits for current and additional officers; and authorization for the Mayor to execute the same on behalf of the Town.**

RECOMMENDATION: Move to approve an Interlocal Agreement with Lewisville Independent School District (LISD) for additional School Resource Officers (SRO), and provisions for equal contributions from LISD and the Town to cover the cost of salary and benefits for current and additional officers; and authorization for the Mayor to execute the same on behalf of the Town.

5. Consider approval of a Professional Services Agreement for monthly air monitoring by Modern Geosciences, LLC., in the amount of \$146,940.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve a Professional Services Agreement for monthly air monitoring by Modern Geosciences, LLC., in the amount of \$146,940.00; and authorization for the Mayor to execute same on behalf of the Town.

6. Consider the award of Request for Bid 2014-7 for the purchase of an aerial personnel lift and service body truck to Grande Ford Truck Sales, Incorporated, for an estimated expenditure of \$91,973.00.

RECOMMENDATION: Move to approve the award of Request for Bid 2014-7 for the purchase of an aerial personnel lift and service body truck to Grande Ford Truck Sales, Incorporated, for an estimated expenditure of \$91,973.00.

7. Consider approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services associated with the ADA Transition Plan & Implementation project, in the amount of \$110,000.00; and authorization for the Mayor to execute the same on behalf of the Town.

RECOMMENDATION: Move to approve a Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services associated with the ADA Transition Plan & Implementation project, in the amount of \$110,000.00; and authorization for the Mayor to execute the same on behalf of the Town.

8. Consider approval for the award of Bid No. 2014-3-B, to Prime Controls, LP, for the construction of the Wastewater Treatment Plant Rehabilitation Phase III project, in the amount of \$658,000.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the award of Bid No. 2014-3-B, to Prime Controls, LP, for the construction of the Wastewater Treatment Plant Rehabilitation Phase III project, in the amount of \$658,000.00; and authorization for the Mayor to execute same on behalf of the Town.

9. Consider approval of Change Order No. 1 for an increase of \$9,465.00, final acceptance of the Jake's Hilltop Parking Lot project, and authorization for final payment to 2CMD, Inc., in the amount of \$36,278.19; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve Change Order No. 1 for an increase of \$9,465.00, final acceptance of the Jake's Hilltop Parking Lot project, and authorization for final payment to 2CMD, Inc., in the amount of \$36,278.19; and authorization for the Mayor to execute same on behalf of the Town.

- 10. Consider approval of the award of Competitive Sealed Bid No. 2014-1-B for the Bakers Branch Collector Phase I (Gerault to Lower Timber Interceptor) project, to North Texas Contracting, Inc., in the amount of \$459,433.00; and authorization for the Mayor to execute same on behalf of the Town.**
RECOMMENDATION: Move to approve the award of Competitive Sealed Bid No. 2014-1-B for the Bakers Branch Collector Phase I (Gerault to Lower Timber Interceptor) project, to North Texas Contracting, Inc., in the amount of \$459,433.00; and authorization for the Mayor to execute same on behalf of the Town.
- 11. Consider approval of a Professional Services Agreement with MHS Planning and Design, LLC, to develop a Master Plan for Twin Coves Park, in the amount of \$25,700.00; and authorization for the Mayor to execute the same on behalf of the Town.**
RECOMMENDATION: Move to approve a Professional Services Agreement with MHS Planning and Design, LLC, to develop a Master Plan for Twin Coves Park, in the amount of \$25,700.00; and authorization for the Mayor to execute the same on behalf of the Town.
- 12. Consider approval of Change Order No. 2 for the Operations and Maintenance Facility project, with CF Jordan Inc., for an increase of \$97,664.13; and authorization for the Mayor to execute the same on behalf of the Town.**
RECOMMENDATION: Move to approve Change Order No. 2 for the Operations and Maintenance Facility project, with CF Jordan Inc., for an increase of \$97,664.13; and authorization for the Mayor to execute the same on behalf of the Town.
- 13. Consider approval of Amendment No. 2 to the Fiscal Year 2013-2014 Capital Improvement Program.**
RECOMMENDATION: Move to approve Amendment No. 2 to the Fiscal Year 2013-2014 Capital Improvement Program.
- 14. Consider approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services associated with the Pintail Ground Storage Tank Rehabilitation project, in the amount of \$31,000.00; and authorization for the Mayor to execute the same on behalf of the Town.**
RECOMMENDATION: Move to approve a Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services associated with the Pintail Ground Storage Tank Rehabilitation project, in the amount of \$31,000.00; and authorization for the Mayor to execute the same on behalf of the Town.

15. Consider approval of final acceptance of the Braden-Bakersfield Park project, authorization for final payment to C. Green Scaping, LP, in the amount of \$21,456.29; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve final acceptance of the Braden-Bakersfield Park project, authorization for final payment to C. Green Scaping, LP, in the amount of \$21,456.29; and authorization for the Mayor to execute same on behalf of the Town.

16. Consider approval of Standards of Care for Youth Recreation Programs operated by the Town, in accordance with the Texas Human Resources Code - Section 42.041 and to adopt an Ordinance providing for said Standards.

RECOMMENDATION: Move to approve Standards of Care for Youth Recreation Programs operated by the Town, in accordance with the Texas Human Resources Code - Section 42.041 and to adopt an Ordinance providing for said Standards.

ORDINANCE NO. 62-13

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND BY AMENDING CHAPTER 54, SECTION 54-202, ENTITLED "ADOPTION"; ADOPTING UPDATED STANDARDS OF CARE FOR YOUTH RECREATION PROGRAMS UNDER SECTION 54-206 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Wise, Dixon, Levenick, Webb, Walker

NAYS: None

I. REGULAR ITEMS

17. Discuss and consider options related to the funding of the Town of Flower Mound Senior Center.

Hayden: Pointed out that the recommendation is that this item is for discussion and direction and no formal action is required. What is the timing on this? When will there be formal action?

Stathatos: In January we will bring forward an item to have the Council approve a construction manager with a cost not to exceed amount (basically set the budget).

Hayden: Does this slow anything down?

Stathatos: No, it doesn't. There is some built in room. We still should have it finished by the end of 2014.

Hayden: If Council wanted to make a motion tonight to approve it can they do so?

Welch: The recommendation has gone forward. You would be doing that when you do the construction manager at risk contract.

Hayden: You couldn't have an actual funding vote tonight?

Welch: It wasn't posted for an action item for deliberation.

Stathatos: Since Council voted unanimously to approve the design, in essence it has been approved and we are operating under the premise that it will be approved. Once we bring it back it will have the dollar amount and will be fully ramped up.

Hayden: Yes, everyone on Council has expressed optimism about the item and I was just wondering why we put it off. But if that is the process we'll go through it.

Stathatos: We're securing bid items for the construction manager at risk. The item was put on the agenda in case the TIRZ Board did not approve it. So at this point I would recommend that we take no action.

Dixon: Added that staff put this on the agenda just to make sure that if the TIRZ Board continued with the recommendation not to fund the senior center out of the TIRZ funds then Council would be able to give direction to staff on what to do next. Since the TIRZ Board has met and made the recommendation to Town Council to use the TIRZ funds to help build the senior center this is really a moot point until the next time we meet.

No action was taken by Town Council on this item.

Mayor Hayden opened items 18 and 19 at the same time.

18. Public Hearing to consider a request for a Master Plan Amendment (MPA13-0010) to amend certain provisions of the Master Plan regarding:

Staff Presentation

Mr. Dalton gave a presentation identifying or noting:

- Proposed Amendments
- Master Plan
- Land Development Regulations
- Update relative to meetings held since the December 2nd meeting
- Discussion points at the meetings: density cap, eliminating active recreation, enhanced zoning process, and sewer
- Vision statement of the district
- Ground and aerial photographs of the Chimney Rock subdivision as an example
- Plan components of Chimney Rock in 2001 (tree canopy, pond, etc.)

- CTCDD Comparison (what is currently in the Town's codes and what is being planned today)
- half acre lot minimum is the recommendation from P & Z with a moderate increase in density and commensurate with the open space
- Development options
- Resident options
- Encouraging conservation incentives (Montalcino as an example)
- Residential fees
- Historical Master Plan densities
- Motions for Council are separated out for consideration individually as previously requested by Council

Council Questions

Mr. Dalton, Mr. Powell, or Mr. Parr responded to questions from Council regarding:

- Further explanation relative to the Town's current policy, planning, guidance and regulations as to why some of the design examples presented wouldn't work here
- Historical densities and what has happened over the years
- Who pays for extending the sewer and the impact of commercial as a result of it
- Other wastewater system option and the rate structure impact
- Environmental concerns related to sewer and the likelihood of the Texas Commission on Environmental Quality approaching the Town to resolve issues that might be happening now or in the future
- What would be the impact, if any, for existing neighborhoods should sewer be introduced
- The process associated with conducting a sewer study by developers or builders

Mayor Hayden opened the public hearing for items 18 and 19 at 7:54 p.m.

Public Hearing Participation

The following speakers spoke in opposition of the items:

Marty James, 6504 Oakview, Flower Mound, TX

John Barr, 3405 Ridgecrest Dr, Flower Mound, TX

William Blewett, 6512 Country Oaks Dr, Flower Mound, TX

Alton Bowman, 6524 Orchard Dr, Flower Mound, TX

Sweety Bowman, 6524 Orchard Dr, Flower Mound, TX

Warren Campbell, 6000 Wichita Tr, Flower Mound, TX

Brett Carlisle, 3415 Ridgecrest Dr, Flower Mound, TX

Sherilyn Flick, 3220 Miracle Ln, Flower Mound, TX

She also recited a letter in opposition from former Mayor Lori DeLuca.

Suzanne Dillin, 6405 Burning Tree, Flower Mound, TX 75022

While she was not present Mayor Hayden summarized her comments as written on the speaker card.

Patricia Fawcett, 6508 Cardinal Dr, Flower Mound, TX

Joella and David Flory, 3920 Raintree Dr, Flower Mound, TX 75022

Marsha Gavitt, 6501 Meadowcrest Ln, Flower Mound, TX

Marilyn Jenkins, 6716 Raintree Pl, Flower Mound, TX

Mellany Lamb, 5109 Prince Edward Court, Flower Mound, TX

Melissa Northern, 4601 Portsmouth, Flower Mound, TX (represented by Marilyn Jenkins)

Gary Pressler, 4713 Skyline Dr, Flower Mound, TX

Greg Santschi, 6405 Meadowcrest, Flower Mound, TX

Gabrielle Schweikart, 3915 Raintree Dr, Flower Mound, TX

John Todd, 6420 Eagle Creek Dr, Flower Mound, TX

Jay Frappier, 2600 Long Ln, Flower Mound, TX

Against sewer, for clustering, and for one acre average and a slight increase in density.

Larry Lipscomb, 950 Crestwood Crk, Flower Mound, TX

Dr. Caeley Melmed, 2901 Surveyors Ln, Flower Mound, TX 75022

Renee Doyle, 920 Drake Trail, Flower Mound, TX

Town Council recessed at 8:55 p.m. and reconvened at 9:05 p.m.

The majority of speakers offered significant opposition for the introduction of sewer in the Cross Timbers District.

The following speakers spoke in support of the items:

Rob Paul 1916 Reserve Ct, Flower Mound, TX

RJ Taylor (Conservation Director Connemara Conservancy), 1314 W McDermott, #108-612, Allen, TX 75013

Alan Powdermaker, 5901 Cross Timbers Rd, Flower Mound, TX

Mr. Powdermaker stated he is the owner of Circle R Ranch and he would like to participate with the Town in providing a destination for a Christmas lights display.

Spoke in support, however, with the appropriate balance of open space and land structures.

Bill Deacon, 213 A West Huffins, Grapevine, TX 76051

Kendra Stephenson, 2321 Roadrunner, Flower Mound, TX

Patsy Mizeur, 1821 Castle Ct, Flower Mound, TX

The following speakers offered alternative suggestions:

Carol Kohankie, 4312 Lauren Way, Flower Mound, TX

Gerald Robinson, 6920 Hidden Valley Rd, Flower Mound, TX 75022

Mike Redenbaugh, 2601 Driftwood, Flower Mound, TX

Mayor Hayden closed the public hearing at 10:02 p.m.

Mr. Dalton or Mr. Powell responded to questions asked from the public as follows:

- Whether or not any of the plans were better than others
- Multi-level sewer system options
- Whether there would be a requirement to attach to sewer in the event your septic system breaks

Mr. Dalton or Mr. Powell responded to questions from Council as follows:

- When the last review of the Master Plan was conducted
- Has there been increased interest for development in the Cross Timbers
- Clarification of the requirement of a Homeowner's Association
- Mechanics of the maintenance of the open space and who is responsible
- What is the enforcement mechanism if the maintenance doesn't happen and what role the Town would have, if any
- Clarification relative to Council's involvement early on with the community based process and a recollection of the dialogue that transpired
- The potential of using open space for the aerobic system and what type of permitting would be required and the likelihood of obstacles
- Viability and feasibility of a centralized plant
- Where is the line for sewer going east or west
- Canyon Falls already factored in and to be served by TRA

- What is the possibility of constraints relative to sewer and a preservation element written into the Ordinance

Mr. Stathatos responded to questions from Council as follows:

- Clarification as to what prompted the Master Plan review process

Webb: My focus for wanting us to go through this process in the Cross Timbers is to preserve and maintain and maximize as much open space as we possibly can. He further clarified that his focus on this has been to preserve more open space than what our Ordinance allows today. Not only allows but also provides encouragement for, because as we've seen from some of the information shared, our conservation development Ordinance isn't necessarily an incentive to preserve open space. I view sewer as a tool that if properly used has the potential to preserve more open space.

Webb: Summarized that what we are hearing tonight is some variation of don't do sewer in the Cross Timbers. That variation goes from don't do sewer and don't do anything else to maybe we need to make some changes to preserve some open space.

Council Discussion

Webb: I would like to have the option of having a decentralized system inserted into whatever we consider. There are still questions out there and those questions can't be answered until we have a plan out in front of us. We have heard that it is a viable option.

Walker: For the wastewater plan it talks about sewer but it doesn't talk about aerobic or other state-of-the-art options, correct?

Powell: No, and if you remember the Master Plan is one element. For the shared system we think we can get there but it would take some refinement and study, and a change to our Ordinances. From a policy statement you can say the Town should pursue allowing these, but we would still have to come back and amend the zoning regulations and Chapter 34 to allow it. It is a two-step process. We can't get into the details, but it could be included in the motion as an option conceptually.

Walker: Liked the idea of having another option for anyone interested in coming forward with the development project (where it's not just sewer or no sewer). With respect to a better outreach process to get in front of these applications as they come in, perhaps we can bring forward experts in the industry that can talk about the up and down sides of aerobic systems and what the requirements are. What I heard tonight that was interesting is that in the past for our open space we really haven't addressed utilizing that area for disposal. So when I hear that I realize we have something else on the table for design consideration as we go forward. I think it might make it easier for some of the folks sitting here and watching us to have an idea that we have an additional option and it's not just sewer or no sewer.

Dalton: As it relates to the wastewater plan, if the direction is no extension of sewer but we want to pursue this cluster system, no amendments are necessary with the wastewater plan. These kinds of systems aren't covered in it. As Doug mentioned its enough to give us the policy direction and plan to say this might be appropriate as a viable option to get more open space, and then after the Town does a land use Master Plan review it comes in with all of this infrastructure stuff. And if our consultants or the public works department sees the need to somehow address this, that would be the time this kind of cluster system would be addressed – as a Master Plan document.

Dixon: I propose we start discussion on item # 18 and go in order with item A (Lakeside), B(Cross Timbers) and C (Wastewater).

- A Lakeside Business District: to amend Section 1.0-Land Use Plan by amending the description of the "Lakeside Business District"; to amend Section 2.0-Area Plans through the amendment of the Lakeside Business District by amending the description of "Campus Commercial" uses under the heading of "Lakeside Business District Land Use Categories" and by updating the map of the "Lakeside Business District" accordingly; and, adopt an Ordinance providing for said amendment.**

Council Discussion

Hayden: The vision for the Lakeside Business District is to create a balanced tax base to ensure the Town's long-term health and prosperity. The Lakeside business district emphasizes high quality regional commercial development enabling Flower Mound to effectively compete in the economic development arena and develop a balanced tax base which will lower the tax burden on homeowners. While there are many things in here which I appreciate such as allowing restaurants and hotels to be added, I have concerns when you strike the part about no residential land uses are included in this district. If this is approved you are changing the vision of the Master Plan. You are changing the vision of the Lakeside Business District and you're opening the door for more residential. He expressed concern that in going forward with this amendment the focus is shifting from commercial to residential and it's not keeping the vision of the Master Plan for this area.

Walker: Asked for clarification as to what was discussed as well as what was the consensus in adding the residential term to this as an option (from where we came to where we're going).

Webb: Recollected he had reservations as well, however, they are not quite as strong as the Mayor's, however, I respect his views. When this was talked about during the joint work session it was discussed that we are going to allow a residential component, however, it needs to be clearly understood that it is an extremely minor component for the business district because this is supposed to be our employment center. This is supposed to be the area where we balance our tax base. Because I don't know what plan might be out there I wasn't willing to scratch it off completely and that is why I asked it to remain under consideration.

Walker: In the broad sense it is residential and not apartments specifically. In the scenario where this is approved and an application comes forward, I would like staff to talk through how you would interpret that now that it's in our Master Plan.

Powell: Today a real estate broker that represents property in Lakeside said he had someone call him about the property around Home Depot and they are apartment builders and he asked what he thought. I told him to tell them if that is their starting point (apartments) they need to go and do something else. What will happen is if someone calls me I will show them the criteria that is written in the Master Plan (the amendments being proposed). But is there flexibility to add that in a development, and we said in other meetings if you have that flexibility you let the market come in and hopefully bring in projects that are wonderful. Staff will review it, analyze it, and it will be a process and maybe it'll be successful.

Walker: Let's take the Grapevine experience as you come North on 2499 at the River Walk Drive where the apartments are. That type of proposal is certainly not what we envision for this element. But what residential component design would you consider to be acceptable with this language?

Powell: For example, Parliament Group owns property next to Lakeside DFW. Lakeside DFW will have Townhouses on one side so maybe on their property that fronts 2499 there could be a hotel or office building here. So if they came in and said we just want to do more residential because of what Lakeside has done we would have to look at it. But again, to allow that flexibility - does that make sense.

Hayden: There is flexibility just like what Lakeside DFW went through. We've talked extensively with Hines for the hotel there and they have said what we need in that area is people that are going to come to Flower Mound because of the business base. Residential will not increase that Monday - Thursday traffic. Further, we've talked to restaurants about going into Lakeside and several of them have said they need the daytime population and adding residential won't help that - new business development will.

Powell: Today in Lakeside it says the only place (Campus Commercial) residential uses are appropriate is for a luxury condominium tower within a four star hotel development to be located at 2900 Lakeside Pkwy. As you mentioned that is zoning. It is not really the Master Plan. You can't do residential. You can do a mixed use development. Could another big development like Lakeside come in and go through the mixed-use process? Arguably, but not 11 acres. And another thing is, it's not my opinion, but I wanted to point out we have had people who have been part of the process who have talked about if you want to have office you need to have a retail and residential component. Just like the discussion with Cross Timbers tonight, I think we all want the same thing. The real question is how do you get there? I don't think it is black and white. There is a lot of gray. Going back to Councilmember Walker's comments, are we changing the Master Plan and bringing in the onset of garden apartments, and 500 foot of retail along 2499. I don't think so. I don't think that is what has been discussed. I don't think that is what is outlined in the text.

Hayden: One other gentleman at the previous Council meeting said you might not envision it or see it but it may happen. I'm afraid we might approve something we're not in favor of. I do feel we're changing the vision, but in the end what matters is what's approved and what the Council votes for. I just feel it's an encouragement when you take from four votes in an extraordinary Master Plan amendment to where it's no longer a Master Plan amendment for certain residential. I am not really sure the Town can afford a lot of mixed-use. We don't need to over saturate the market and ultimately Lakeside will have difficulties.

Walker: Asked staff to bring up the proposed text which states may include residential and asked if that's the change. We went from luxury condo to "may include", correct?

Dalton: For those at home we're looking at the land use plan and he pointed out the general broad description of the area plan. What Councilmember Walker requested was to look at the detail description of the area plan and that is what this text is.

Walker: So "may include residential"?

Dalton: For the Lakeside Business District the overall description says it may include residential and the intent is to create this vibrant area and I believe this is some of the concerns that the Mayor has. He also showed the area plan detail information. If we're going to have some residential any development must demonstrate how they are expanding our tax base and creating jobs.

Welch: On Page 520 of the packet and for the list of options Council might want to look at # 6 because one of the issues there is residential development should provide a range of residential options. So if the goal is to limit residential I'm not sure we would want number six in there because that seems to give it back.

Powell: Summarized the idea behind the language and that statement is in there to encourage someone to come forward with something we don't have in Town and what we need, and not necessarily to allow apartments.

Dixon: Summarized the application review process (from Master Plan to zoning). What I long for in the Town is to have someone come in with a quality vision and say Town of Flower Mound I want to sell you on my vision. There is a process for that. There are many steps and then it comes before Council where there is the option to say yes or no. What I don't want is to take something off the table for someone who has a great idea for Flower Mound.

Mayor Pro Tem Dixon moved to approve a request for a Master Plan Amendment (MPA 13-0010 to amend Section 1.0-Land Use Plan by amending the description of the "Lakeside Business District"; to amend Section 2.0-Area Plans through the amendment of the Lakeside Business District by amending the description of "Campus Commercial" uses under the heading of "Lakeside Business District Land Use Categories" and by updating the map of the "Lakeside Business District" accordingly; and, adopt an Ordinance providing for said amendment, and as amended to include the text of "limited residential" in Section 1.0 and 2.0. Deputy Mayor Pro Tem Webb seconded the motion, including as amended by Councilmember Walker.

Walker: Requested an amendment to the motion to include the text of limited residential and the above referenced motion reflects that amendment.

Dalton: If that is the desire of the Council it would be in two places. Section 1.0 (Land Use Plan) and 2.0 (Area Plan) and he pointed out where that text would be included.

VOTE ON THE MOTION

AYES: Walker, Webb, Levenick, Dixon, Wise

NAYS: None

B Cross Timbers Conservation Development District: to amend Section 1.0-Land Use Plan by amending the number of planning areas in the Cross Timbers Conservation Development District and the Prairie Vista District and by amending the description of the "Cross Timbers Conservation Development District" under the heading of "Area Plan Districts"; to amend Section 2.0-Area Plans by deleting the "Cross Timbers District" "Area Plan 2-Skillern/Scenic," "Area Plan 3-Shiloh Road," "Area Plan 4-High Road," and "Area Plan 5-Roanoke Hills/Tour 18" together with their corresponding area plan maps in their entirety and replacing said Area Plans with a new "Area Plan District" entitled "Cross Timbers Conservation Development District Area Plan" and a new map entitled "Cross Timbers Conservation Development District Area Plan Map"; and, adopt an Ordinance providing for said amendment.

Council Discussion

Hayden: I think the idea of clustering is a good way to protect the trees, but I'm not really in favor of increasing the density.

Webb: My focus and intent, and only reason I want to talk about this is to give us another tool in the toolbox to preserve more open space. I believe that having half-acre lots is an option that could result in increased open space. If any developers out there listening wants to present a plan that has half acre lots covering 75% of the Cross Timbers save your paper. It doesn't fly. But for increased density I'd give up a little density if we achieved more open space. If we are allowing increased density and less open space that's not a deal. It makes sense.

Walker: I agree. It is one more option. In fact it encourages more open space to be considered for each one of these applications as they come forward. I also like that we did grant a cap on the density. And also, the active and passive for the open space, we took care of that by removing the active. And for the process of notice and involvement of citizens prior to coming forward here at the podium, we got a lot of new ideas, however, we wished it would have happened prior to the public hearing. So I am in support of the idea of doing this. I think it's reflective of most of the comments that we got tonight - Take sewer and push that off to the side and increase the ability to look at each of these designs to maximize open space.

Levenick: As stated previously, I am not in favor of increasing density in the Cross Timbers Conservation Development District. I like the idea of the decentralized wastewater system but I think we need more information on that. Since I'm not in favor of increasing the density I don't know if that would even make half-acre lots viable for that area. I am not in favor of putting sewer out there. I would prefer to take item "C" off the table. I am in favor of removing active park uses as discussed. I do have a question about how this presentation to adjacent homeowners would happen. Despite all the notice efforts in Town we received feedback from some people that they didn't know about it. If that is actually part of what the amendment says we have to have a plan for that, and it has to be a good plan.

Powell: We wrote into the Ordinance that there would be two meetings. One at the time of the pre-application meeting where we are going to notify the affected parties (the neighbors) and set up a meeting and we will have a similar meeting at the end of the process prior to the public hearing at planning and zoning. Staff would work on how that would be done in the next few weeks and distribute to Council to make sure everyone is on the same page.

Levenick: There is only so much we can do besides knocking on everyone's door and there is some personal responsibility if you're interested in things happening in Town and that you need to start paying attention. It is your responsibility as much as it ours and we have to work together on that.

Hayden: Questioned if there are motions that encourages incentives for open space and is there one that does increase density.

Dalton: What is in front of you is the motion on Cross Timbers with three of the four things addressed and sewer is the fourth one and it is separate.

1. Make a motion to include item one, which sets a cap of the density to that 1.6 per acre (24% increase we talked about)
2. To remove the language including active uses to address the active recreation concern
3. To put out the policy statement on this enhanced zoning process where staff will work on a more detailed approach as to how that will be rolled out

Dixon: The one concern I have is I don't want clusters full of half acre homes. I want it to be a mixture. When a land planner is putting together their land plan based on the topography, trees, etc. I want them to be able to have that as a tool down to the half-acre, but if they see where it's getting tight where they can't put a three quarter or acre lot in but could put into half-acre lots and pie out and get bigger lots, to consider it. I'm okay with the 1.6 because we have to give them an incentive to do this. He gave the example of someone he knows that lives on a 2 acre lot near FM 407 and how it's not considered rural. That is not what we want in the Cross Timbers. We don't want it basically to be Wellington with 2 acre lots. I'm okay with adding density in the right way to get what we want, which is as much open space and as many trees as possible. The consideration that I would want to have is something in here that makes it a little more firm. I'm good with down to half acre but I don't want it to be predominantly half-acre. I don't want rows of them.

Powell: Recited item D and appropriate transition language and that will get you some of the way, but a statement saying any single size shouldn't predominate a development, we haven't done that. We think that this calls out for some, but to your point about what you are really looking for. Now I'm going to tell them to watch the tape of tonight's meeting and that is the intent.

Dixon: Grant it I know at the zoning and plat level there will be much definition, so I'm okay. But I'm listening to the folks about how we put these added protections and clarity into the Ordinance.

Wise: I like the idea about what we can add in there to do that. One of the things we hear a lot about is to protect the trees. I really think the clustering ideas does that so I am in favor of that. I am in favor of having the discussion about the transition piece as Steve mentioned.

Welch: Do you want to put in a percentage? For example, half acre lots but no more than one half of the lots in a development can be half acre?

Dixon: I don't want something hard like that but I want the intent to come through in the verbiage.

Webb: Suggested language stating that proposed lot sizes of less than three quarter acre should not predominant any proposed development.

Welch: With respect to Mayor Pro Tem Dixon's comment for about a half-acre, if we want to have some flexibility but we don't want to have 100% half acre lots, he suggested wording such as "minimum lot sizes of a one half acre (21,000 sf), however, in no event shall half acre lots predominate any development".

Dixon: Then I see on the other side of the same discussion if they did go half-acre lots that's a lot of open space at 1.6, so again, I don't know if I want to hamstring folks but I do want the intent of a mixture of lot sizes in there that I think will add to the character of the cluster development. Then there is a hard number in there of 1.6.

Hayden: On the lines of what Bryan was saying I think you can put it in the vision statement relative to the intent.

Dalton: What I would suggest, if we're looking to add this mixture of lot sizes and introduce it for transitioning purposes next to land uses, I would think it would be the more appropriate way to introduce larger lot sizes in, or is it just to have a variety of lots.

Dixon: It has to do with adjacency. So yes, but also the flexibility for the land planner based on the topography and trees as to what would work better.

Dalton: A standard could be applied in that a transition is needed with adjacency issues.

Dixon: I like that from a vision statement.

Welch: The existing language now states a minimum lot size of one half an acre. This would be adding, however, any development shall contain a mixture of lot sizes. Any development shall be cognizant of existing external adjacent lot sizes and half acre lot sizes shall not predominant any development.

Hayden: So does that mean you can go 6/10. You say it cannot be half-acre someone will come back and say it's not half-acre.

Webb: That's why I used the phrase less than three quarter of an acre, but Tommy is right – we put that in there and we're giving up open space. Asked the Town Attorney to read through it again.

Welch: Minimum lot size is one half acre, however, any development shall contain a mixture of lot sizes, and any development shall be cognizant of existing external adjacent lot sizes and half acre lot sizes shall not predominate any development.

Dixon: Suggested taking out the last part and just give them the vision statement by being cognizant.

Dalton: Reminded Council that we want to be very sensitive to existing development and we also have the provisions about landscape buffering and urban design plan that addresses the very same issue of adjacency so we are going to have the intent in two different places.

Welch: Depending on what the vote is on sewer, that may necessitate one additional change in the Ordinance, but we have to wait to get direction on that.

Mayor Hayden tabled the item to allow for a discussion on the next agenda item given the association of the two.

Mayor Hayden reopened item B after the discussion and vote for item C.

Welch: We would be adding two provisions to it. One is the half acre lots and the adjacency and we would also be taking out the reference in the draft Ordinance that talks about sewer. That would now be removed.

Levenick: For the B, 1, 2, 3, A, B, C, etc., how far are we breaking this out. Where are the changes being made in the document?

Welch: Page 529 in the packet.

Dalton: Displayed the draft Ordinance for the Cross Timbers and stated this is the one in the area plan that sets forth the options and the first seven options already exist. What we are focusing on is option 8 (which is the cluster development). Within that it talks about density, the minimum lot size, and the open space and your motion would do that, including active recreation use, as well as the transition we have discussed. He pointed

out the elements and noted they pulled over all the scenic corridors information so I think we are focusing on 8 A – D as well as element 1.

Welch: And 8 B is the one about the adjacency and the additional language we talked about in the half acres.

Dalton: We have the three things that we carried over from December 2nd. Council has the ability to talk about every letter in the document should you wish to do so.

Welch: Pointed out that he can recite the motion and to keep in mind that it has three parts (1, 2, 3) and we would be adding the 4th part in Section 8 B about the half acres and the adjacency that was discussed earlier (and that specific language). Then we would be eliminating the 3 elements – one says sewer is allowed in the district. We're going to take that part out because Council just voted no on the sewer. So there are those two additional components of the motion with those three that are already in the packet.

Levenick: So those things in A, B, and C are still there?

Welch: The one in the draft motion is still there.

Levenick: So it's number 1 where it says Section 8A of the Cross Timbers Development District area plan and it talks about density. Is that part staying?

Welch: That is staying the same. 1, 2, and 3 all remain the same.

Councilmember Webb moved to approve a request for a Master Plan Amendment (MPA 13-0010) to amend Section 1.0-Land Use Plan by amending the number of planning areas in the Cross Timbers Conservation Development District and the Prairie Vista District and by amending the description of the "Cross Timbers Conservation Development District" under the heading of "Area Plan Districts"; to amend Section 2.0-Area Plans by deleting the "Cross Timbers District" "Area Plan 2-Skillern/Scenic," "Area Plan 3-Shiloh Road," "Area Plan 4-High Road," and "Area Plan 5-Roanoke Hills/Tour 18" together with their corresponding area plan maps in their entirety and replacing said Area Plans with a new "Area Plan District" entitled "Cross Timbers Conservation Development District Area Plan" and a new map entitled "Cross Timbers Conservation Development District Area Plan Map"; to include items 1, 2, 3, 4, and 5 below and adopt an Ordinance providing for said amendment:

- 1. Section 8 A of the Cross Timbers Development District Area Plan shall be amended to include the following: "The maximum density that can be granted for a cluster development can be no more than one unit per 1.6 acres (over 1.6 equals 62 units or a 24% increase above the base density). For example, on a 100 acre development the 100 acres is divided by 1.6 to produce 62 units or a 24% 12 unit increase in density above the base density of 1 – 2 or 50 units"**
- 2. Section 8 C of the Cross Timbers Development District Area Plan shall be amended to remove the following: "Including active uses"**
- 3. Section 8 of the Cross Timbers Development District Area Plan shall be amended by adding a new subsection E to read as follows: "the approval of a development**

application for a cluster development shall require an enhanced public notification process. This process is to increase notice and encourage participation of the adjacent property owners and includes the following:

- a. Any developer using the cluster option must present plans to adjacent property owners and homeowner's associations for comment and input on the proposed application
 - b. At the time of a pre-application Town staff will notify the affected property owners of the potential development
 - c. A meeting will be coordinated with the developer and interested parties prior to the submittal of a development application
 - d. A second meeting will be held prior to the Planning and Zoning Commission meeting to update the interested parties prior to the public hearing. The agenda item for the proposal will reflect any consensus reached by the group as well as individual comments".
4. Section 8 B of the Cross Timbers Development District Area Plan shall be amended to read as follows: minimum lot size is one half acre or 21,780 square feet, however, any development shall contain a mixture of lot sizes and any development shall be cognizant of external adjacent lot sizes
 5. On page 8 of the Ordinance element number 1 relative to sewer shall be deleted and the remaining elements renumbered accordingly.

Councilmember Walker seconded the motion.

VOTE ON THE MOTION

AYES: Wise, Dixon, Webb, Walker

NAYS: Levenick

C Wastewater: to amend Section 9.0-Wastewater Plan by adding a new paragraph regarding the "Cross Timbers Conservation Development District" as a wastewater Service District, and adopt an Ordinance providing for said amendment. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its November 11, 2013, meeting.) (This item was postponed at the December 2, 2013, Town Council meeting.)*

Council Discussion

Hayden: I think controlling density by not allowing sewer is the wrong way to control density, however, it's a very effective way and I understand why the resident don't want to do that. They don't have confidence that somewhere down the road somebody won't come through here and do something that would increase the density. I would not support putting sewer in the Cross Timbers area. Also, it's important to do incremental changes. If you start doing big changes you're going to lose the people that pay the bills for this Town and I think that we are making a big change. You might come back and see how the clustering works – give it 2-4 years and then perhaps you could revisit sewers.

Walker: For my earlier comments about the enhanced aerobic treatment, I would like to know more about that. How do we introduce the concept of investigation and more research versus simply postponing a decision on this?

Powell: There are two ways to look at it. You can say we will allow both options (sewer or this cluster system) or if you just want to do the cluster system. You could argue that one would preclude the other and vice versa. Both of them would take further work. Are they both options that would take further work or do you want to narrow those at this point? And really you could do either.

Walker: So we could go forward today with an aerobic decision?

Powell: I think you could clearly indicate that you want staff to pursue that. To do it we would have to change our Code of Ordinances and set up that process with TCEQ. It would take a while. On the other hand if you did sewer there would be the study, etc. None of these things are going to happen tomorrow. If at the end of the day your primary focus is to have one or the other then maybe we need to pursue that.

Walker: The difficulty I have is for us to say go forward with sewer and not really talk about the other option. Let's get some more input on viability and then bring this back and look at both of them side by side.

Webb: We owe it to our residents to make a decision on this tonight as to how we're going to move forward. I don't want to table this item. I came in here tonight, and truthfully, I'm still here. I think sewer needs to be on the table as an option. For tonight to move us forward I am willing to give staff direction on this item that we include a study of the clustered aerobic systems and come back to us with a determination or recommendation for Ordinance changes to where that's a viable option and to include it in the motion. With that I would say I'll take sewer off the table. Yes, we had a lot of people at those meetings at the Library. As I've thought back over the weekend about that, their thought was like mine – maximize open space. Sewer was a tool to get there. If we have another tool that can get us more open space than what we have today, and settle at ease the folks that live in that area, fine. If staff comes back to us and says we've kicked this around, we've talked to TCEQ, and it's going to be a problem, for whatever reasons they come back to us with, fine. We'll open the discussion again.

Levenick: I am not interested in sewer in the Cross Timbers.

Dixon: This decentralized sewer system is intriguing. I love the concept, especially since we have heard that the absorption field can be in conservation. I can very easily take off my hat as Councilmember and put on my hat as a resident, and then put on my hat serving on boards and commissions, and easily say I like the fact that sewer could be an option. I desperately would love to see the study done by all the landowners, but my guess is they are not going to spend all that money on doing the study if something is not on the table.

Wise: I'm not in favor of the sewer. We have that capacity that can go east and I think we should think about allowing it east of the Old Flower Mound Road simply because

we have that capacity and the ability to do it. I am interested in the decentralized sewer system as well and I really think that's probably the best way to move forward.

Hayden: Summarized that he's heard no one say they are interested in pursuing sewer at this time.

Councilmember Levenick moved to deny a request for Master Plan Amendment (MPA 13-010) to amend Section 9.0-Wastewater Plan by adding a new paragraph regarding the "Cross Timbers Conservation Development District" as a wastewater Service District, and adopt an Ordinance providing for said amendment. (The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its November 11, 2013, meeting.) (This item was postponed at the December 2, 2013, Town Council meeting.) Councilmember Wise seconded the motion.

Council Discussion:

Webb: Do we need to incorporate into that motion, or in a positive motion direction to ask staff to pursue investigation of the decentralized system?

Hayden: It simply needs to be offered as direction to the Town Manager.

VOTE ON THE MOTION

AYES: Wise, Levenick, Webb, Walker

NAYS: Dixon

19. **Public Hearing to consider an amendment to the Land Development Regulations (LDR13-0004) through the amendment of Chapter 98, "Zoning," of the Town's Code of Ordinances by deleting Division 21, "PD Planned Development District," in its entirety and replacing said Division with a new Division 21 also entitled "PD Planned Development District" that will update the Town's planned development regulations and allow the Town to consider development proposals that use flexibility and creativity to achieve the stated goals of the Town's Master Plan, and to consider adopting an Ordinance providing for said amendment. (The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its November 11, 2013, meeting.) (This item was postponed at the December 2, 2013, Town Council meeting.)**

Staff Presentation

The item is about allowing flexibility in development standards in order to meet the goals of the Master Plan. As I mentioned our current development standards are pretty rigid and flexible in allowing you to bring forward creative ideas. This is the actual implementation tool of the Master Plan where they can use this. This does not allow property owners or developers to use it to get wholesale changes if it doesn't meet the Master Plan and the policy document.

Mr. Powell or Mr. Dalton responded to questions from Council as follows:

- Examples as to when this would be used

Councilmember Levenick moved to approve an amendment to the Land Development Regulations (LDR13-0004) through the amendment of Chapter 98, "Zoning," of the Town's Code of Ordinances by deleting Division 21, "PD Planned Development District," in its entirety and replacing said Division with a new Division 21 also entitled "PD Planned Development District "that will update the Town's planned development regulations and allow the Town to consider development proposals that use flexibility and creativity to achieve the stated goals of the Town's Master Plan, and adopt an Ordinance providing for said amendment. Deputy Mayor Pro Tem Webb seconded the motion.

VOTE ON THE MOTION

AYES: Walker, Webb, Levenick, Dixon, Wise

NAYS: None

20. Public Hearing to consider a request for a Replat (RP13-0012 - River Walk Villas) to create a residential subdivision, subject to the terms and conditions in the attached Development Agreement, and authorization for Mayor to execute same on behalf of the Town. The property is generally located west of Morriss Road and north of Euclid Avenue. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its December 9, 2013, meeting.)*

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- This item is for the platting process
- Efforts with FEMA that changes the flood plain
- The platting they have now shows lots that are in the flood plain but will not be once the River Walk is approved by FEMA
- Infrastructure for the subdivision will start soon and this makes sure that if something horrible happens and they don't complete the River Walk, or the LOMAR is not approved, that they cannot build on those lots
- The Development Agreement provisions would mean they replat those lots into "x" lots if indeed that whole set of scenarios doesn't happen and transpire

Mayor Hayden opened the Public Hearing at 12:12 a.m. on December 17, 2013.

Public Participation

No one spoke in support or opposition.

Mayor Hayden closed the Public Hearing at 12:12 a.m. on December 17, 2013.

Deputy Mayor Pro Tem Webb moved to approve a request for a Replat (RP13-0012 - River Walk Villas) to create a residential subdivision, subject to the terms and conditions in the attached Development Agreement, and authorize the Mayor to execute same on behalf of the Town. Councilmember Wise seconded the motion.

VOTE ON THE MOTION

AYES: Wise, Dixon, Levenick, Webb, Walker

NAYS: None

J. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

Hayden: For the personnel manual - if someone commits a class one violation typically what happens is that there is either a termination or resignation. He gave the example of an employee in another city that was put on administrative leave and later charges were dropped and it was cleared up. He asked for consideration that if something happens with one of our employees, rather than it negatively impacting their employment until the process has gone through, perhaps one of the first steps might be to have some sort of administrative leave for a certain period of time.

Levenick: Stated it's getting to a point where there is so much going on and our meetings are starting to last a lot longer. We had a full house tonight. People work all day. Staff has been here since 8. Council works as well. We need to start discussing how we can have a hard stop at our meetings and I would like to know what other communities do. Because when it's midnight and we've been sitting here so long we stop being objective. I think we could be more productive with a hard stop on our meetings. Our meetings will go smoother and we need to limit public participation to 3 minutes.

Hayden: For items that are going to take more time we need to do a better job at managing the content of the agenda. I agree with Jean. Given the lateness of the evening there was consensus of Council to not go into closed session.

K./L. CLOSED/OPEN MEETING

The Town Council did not convene into a closed meeting.

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

No action taken.

- b. Discuss and consider purchase, exchange, lease or value 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.

M. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 12:15 a.m. on Tuesday, December 17, 2013, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



THOMAS E. HAYDEN, MAYOR

ATTEST:



THERESA SCOTT, TOWN SECRETARY