

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 15TH DAY OF JANUARY 2015, 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
Michael Walker	Deputy Mayor Pro Tem
Bryan Webb	Councilmember Place 2
Mark Wise	Councilmember Place 3
Steve Dixon	Councilmember Place 4

With the following members absent:

Jean Levenick	Mayor Pro Tem
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constituting a quorum with the following members of the Town Staff participating:

Theresa Scott	Town Secretary
Bryn Meredith	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
Ken Parr	Executive Director of Public Works
Matt Woods	Director of Environmental Services
Tiffany Bruce	Engineering Manager
Tommy Dalton	Director of Strategic Planning

A. CALL REGULAR MEETING TO ORDER

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

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

Minister Bryan Smith of the Village Church gave the invocation and Mayor Hayden led the pledges.

D. PRESENTATIONS

1. Proclamation for Marcus High School UIL State Marching Band Contest Conference 6A Finals Champions.

Chase Howard, Assistant Band Director, and Hannah Hadden, flute senior and drum major, accepted the proclamation.

2. Presentation from CoServ regarding Capital Credit allocation to the Town of Flower Mound.

CoServ Area Manager, Tracee Elrod presented the Town with a check in the amount of \$61,762.54.

3. Certificate of Recognition for Highland Homes for Lend-a-Hand initiative donation

Keep Flower Mound Beautiful representatives, Marilyn Lawson and Mary Ligon, provided background information related to the work of Highland Homes in conjunction with the Lend-A-Hand initiative. Highland Homes representatives, Garon Bruce, Jeff Watkins, and Bo Meagher accepted the certificate.

4. Update and discussion on Outstanding Citizen Program options

Town Secretary, Theresa Scott provided a recap from the meeting of Sept. 2nd and outlined options for consideration by Council. There was consensus to proceed with the program with the structure that Council would appoint individuals to serve on the selection committee and that group would make the final decision on the individual or group to be awarded. Furthermore, it was recommended that Council not even be made aware of the name of the individual or group until the night of the meeting in which they would be recognized.

E. PUBLIC PARTICIPATION

Names listed below don't necessarily reflect the order in which each person spoke and all addresses are located in Flower Mound unless otherwise indicated.

Emily Strittmatter, 4816 Mesquite St
Missy Grant, 3303 Sycamore Dr
Nicholas Strittmatter, 4816 Mesquite St
Rosendo Rodriguez, 3208 Cottonwood Dr
Gloria Rodrigues, 3208 Cottonwood Dr
Naomi Lyons, 5121 Bayberry St
Beverly Meador, 3301 Juniper St
Traci Bowen, 3409 Pecan Meadows Dr
Kelly James, 5113 Bayberry St
Susan Johnson, 5300 Singing Brook
John Shenko, 5001 Rippy Rd
Shyron Shenko, 5001 Rippy Rd
Russell Smith, 5300 Bayberry St
Brent Streit, 5101 Bayberry St
Christie Streit, 5101 Bayberry St
Brad Ruthrauff, 3302 Pecan Meadows
Mark Wegele, 4713 Bayberry St
Lori Kline, 5304 Singing Brook
Linda Hogan, 5305 Singing Brook
Edwin Burger, 5109 Singing Brook
Eddie Wynne, 4841 Rippy Rd
Norma Kline, 5104 Singing Brook
Kerstin Boodee, 5316 Singing Brook

Mark Malone, 5025 Bayberry St
James Engel, 5110 Bayberry St
Carol Kohankie, 4312 Lauren Way
Patsy Mizeur, 1921 Castle Ct
Shari Smith, 5300 Bayberry St
Don Shields, 3815 Cortadera Ct

F. ANNOUNCEMENTS

1. Announce recent and upcoming civic and social events

Councilmember Wise announced he will not be running again for Town Council in May.

Mayor Hayden offered appreciation to Councilmember Wise for his service on Council. He also recognized State Representative Tan Parker for his new leadership position as Chairman of the House Republican Caucus.

2. Demographic trends.

Councilmember Webb gave a presentation on Flower Mound demographic trends.

G. TOWN MANAGER'S REPORT

1. Update and status report related to capital improvement projects (CIP).

Mr. Stathatos gave an update on the following CIP projects:

- DFW Connector
- Sagebrush Drive road improvements

2. Update and discussion on Economic Development (ED) projects.

Mr. Stathatos gave an update on the following ED projects:

- Two restaurants coming to Highlands Plaza: Snap kitchen and Pie Five Pizza
- Whitlock ribbon cutting

3. Update and discussion related to a new Town Hall facility.

Mr. Stathatos provided background information related to Council's direction and what has been done to date for a new Town Hall facility. He presented the various questions asked by the TIRZ Board and sought clarification that staff is executing the Town Hall project as Council envisioned.

There was Council input related to:

- Engage the architect firm to get the TIRZ Board answers
- Get financial authorization from the TIRZ Board to proceed with the next step
- Interest in having the building set back so that it doesn't have an association for future uses
- The need for adequate parking given the merger of other departments from the Atrium
- Interest in having a building structure that would last 100 years to accommodate future needs

4. Discuss and receive direction on conducting a land use planning study (corridor plan) along FM 2499 between FM 3040 and FM 407, as discussed during the *Our Master Plan Project* in 2013.

Mr. Dalton gave a presentation identifying or noting:

- Background information
- Project overview (including project scope, process, cost/time)
- Scope feedback sought from Council related to project boundaries/study area, phasing, components, and community engagement
- Methods regarding the process (RFP or direct engagement)
- Cost estimates and time allotments and impacts to costs
- Funding options and cost/timing feedback recap

Mr. Dalton, Mr. Powell, or Ms. Wallace responded to questions from Council related to:

- Clarification regarding the cost estimates and phasing
- Time frame associated with direct engagement
- What other demands would be on the ED budget that this type of project would get in front of

Mr. Dalton summarized that the direction from Council is that they are acceptable to the RFP process, and assuming it's not more than \$500,000, to utilize funding in the current fiscal year to get started.

Council Questions in conjunction with the Town Manager Report

Mr. Stathatos responded to questions from Council as follows:

- Chaparral U-turn update

H. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

The next Town Council meeting is a scheduled for February 2nd.

I. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on December 15, 2014.

RECOMMENDATION: Move to approve the minutes from a regular meeting of the Town Council held on December 15, 2014.

2. Consider approval to purchase Meru Wireless Management Appliance, Access Points and Management software from JTS in the amount of \$39,368.58.

RECOMMENDATION: Move to approve the purchase Meru Wireless Management Appliance, Access Points and Management software from JTS in the amount of \$39,368.58.

3. Consider approval to purchase year one of a three year Enterprise Enrollment Agreement with Microsoft to provide the town with Licensing, Software and upgrades for Microsoft Office, Server, Lync, Sharepoint and Desktop Operating Systems from SHI Government Solutions in the amount of \$149,384.90.

RECOMMENDATION: Move to approve to purchase year one of a three year Enterprise Enrollment Agreement with Microsoft to provide the town with Licensing, Software and upgrades for Microsoft Office, Server, Lync, Sharepoint and Desktop Operating Systems from SHI Government Solutions in the amount of \$149,384.90.

4. Consider approval to purchase additional server warranty and support from Dell Computers in the total amount of \$ 20,332.53.

RECOMMENDATION: Move to approve to purchase additional server warranty and support from Dell Computers in the total amount of \$ 20,332.53.

5. Consider approval of a proposal for Town of Flower Mound Access and HVAC upgrades with Schneider Electric.

RECOMMENDATION: Move to approve a proposal for Town of Flower Mound Access and HVAC upgrades with Schneider Electric.

6. Consider approval of a resolution authorizing an extension to the twenty five (25) year lease between the United States Army Corps of Engineers and the Town of Flower Mound to operate and maintain Twin Coves Park for an additional twenty (20) years via two (2) ten-year lease extension option periods, as provided in "Supplemental Agreement No. 1", and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve a resolution authorizing an extension to the twenty five (25) year lease between the United States Army Corps of Engineers and the Town of Flower Mound to operate and maintain Twin Coves Park for an additional twenty (20) years via two (2) ten-year lease extension option periods, as provided in "Supplemental Agreement No. 1", and authorization for the Mayor to execute same on behalf of the Town.

RESOLUTION NO. 01-15

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AUTHORIZING "SUPPLEMENTAL AGREEMENT NO. 1" TO EXTEND THE TWENTY FIVE (25) YEAR LEASE OF TWIN COVES PARK BETWEEN THE TOWN OF FLOWER MOUND AND THE UNITED STATES ARMY CORPS OF ENGINEERS VIA TWO (2) TEN-YEAR LEASE EXTENSION OPTION PERIODS; AUTHORIZING THE MAYOR TO SIGN SAID "SUPPLEMENTAL AGREEMENT NO. 1"; AND PROVIDING AN EFFECTIVE DATE.

7. Consider approval of the purchase and installation of play equipment for the Colony Park Playground project, from Total Recreation Products, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$134,320.31.

RECOMMENDATION: Move to approve the purchase and installation of play equipment for the Colony Park Playground project, from Total Recreation Products, Inc., through the Texas Local Government Purchasing Cooperative, in the amount of \$134,320.31.

8. Consider approval of the purchase of one (1) new Ford-F-750 Dump Truck for the Public Works Department from Sam Pack's Five-Star Ford through the Texas Local Government Purchasing Cooperative program, in the total amount of \$72,207.80.

RECOMMENDATION: Move to approve the purchase of one (1) new Ford-F-750 Dump Truck for the Public Works Department from Sam Pack's Five-Star Ford through the Texas Local Government Purchasing Cooperative program, in the total amount of \$72,207.80.

9. Consider approval of the purchase of one (1) new Ford F-550 Aerial Bucket Truck for the Parks Department from Silsbee Ford through the Texas Local Government Purchasing Cooperative program, in the total amount of \$92,818.00.

RECOMMENDATION: Move to approve the purchase of one (1) new Ford F-550 Aerial Bucket Truck for the Parks Department from Silsbee Ford through the Texas Local Government Purchasing Cooperative program, in the total amount of \$92,818.00.

10. Consider the award of Request for Bid 2015-2 for Tow Truck and Vehicle Impounding Services, on an as-needed basis, to Recovery Systems, Incorporated dba Pro Tow Wrecker Services. The contract is for a one-year period, which includes four (4) one-year renewal options.

RECOMMENDATION: Move to approve the award of Request for Bid 2015-2 for Tow Truck and Vehicle Impounding Services, on an as-needed basis, to Recovery Systems, Incorporated dba Pro Tow Wrecker Services. The contract is for a one-year period, which includes four (4) one-year renewal options.

11. Consider approval of an agreement with Toll Dallas TX LLC and Toll BBC LLC to exchange unused public right-of-way, now designated as a portion of Lot 1, Block E, of The Preserve at Flower Mound Addition, Phase Three A, for certain other real property, described as Lot 2, Block E, of the Flower Mound Oaks Addition; consider approval of an ordinance vacating and abandoning such Town property and declaring that such property is unnecessary for use by the public; authorize

the Mayor to execute a Special Warranty Deed transferring and assigning the Town's ownership interest pursuant to the agreement; and authorize the Town Secretary to file the Special Warranty Deed in the deed records of Denton County.

RECOMMENDATION: Move to approve an agreement with Toll Dallas TX LLC and Toll BBC LLC to exchange unused public right-of-way, now designated as a portion of Lot 1, Block E, of The Preserve at Flower Mound Addition, Phase Three A, for certain other real property, described as Lot 2, Block E, of the Flower Mound Oaks Addition; consider approval of an ordinance vacating and abandoning such Town property and declaring that such property is unnecessary for use by the public; authorize the Mayor to execute a Special Warranty Deed transferring and assigning the Town's ownership interest pursuant to the agreement; and authorize the Town Secretary to file the Special Warranty Deed in the deed records of Denton County.

ORDINANCE NO. 01-15

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING A PROPERTY EXCHANGE AGREEMENT WITH TOLL DALLAS TX LLC AND TOLL BBC LLC TO EXCHANGE UNUSED PUBLIC RIGHT-OF-WAY GENERALLY DESCRIBED AS 9,816 SQUARE FEET OR 0.225 ACRES OUT OF THE JOHN WIZWELL SURVEY, ABSTRACT NO. 1346, OF THE TOWN OF FLOWER MOUND, NOW DESIGNATED AS LOT 1, BLOCK E OF THE PRESERVE AT FLOWER MOUND ADDITION, PHASE THREE A FOR CERTAIN OTHER REAL PROPERTY, SPECIFICALLY, LOT 2, BLOCK E OF THE FLOWER MOUND OAKS, AN ADDITION TO THE TOWN OF FLOWER MOUND, DENTON COUNTY, TEXAS, VACATING AND ABANDONING SUCH PROPERTY; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR TO EXECUTE A SPECIAL WARRANTY DEED TRANSFERRING AND ASSIGNING SUCH PROPERTY TO TOLL DALLAS TX LLC IN EXCHANGE FOR TOLL BBC LLC EXECUTING A SPECIAL WARRANTY DEED TRANSFERRING AND ASSIGNING CERTAIN OTHER REAL PROPERTY, SPECIFICALLY, LOT 2, BLOCK E OF THE FLOWER MOUND OAKS, AN ADDITION TO THE TOWN OF FLOWER MOUND, DENTON COUNTY, TEXAS TO THE TOWN; AUTHORIZING THE TOWN SECRETARY TO FILE THE DEED IN THE DEED RECORDS OF DENTON COUNTY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING A SEVERABILITY CLAUSE; AND SPECIFYING AN EFFECTIVE DATE.

12. Consider approval of an ordinance vacating and abandoning a portion of a street or alley right-of-way generally located on North Drive in the Town of Flower Mound, Denton County, Texas; declaring that such property is unnecessary for use by the public; creating a utility easement; authorizing the Town Manager to execute a Quitclaim Deed to the abutting property owner; providing for engrossment and enrollment; and providing an effective date.

RECOMMENDATION: Move to approve an ordinance vacating and abandoning a portion of a street or alley right-of-way generally located on North Drive in the Town of Flower Mound, Denton County, Texas; declaring that such property is unnecessary for use by the public; creating a utility easement; authorizing the Town Manager to execute a Quitclaim Deed to the abutting property owner; providing for engrossment and enrollment; and providing an effective date.

ORDINANCE NO. 02-15

AN ORDINANCE VACATING AND ABANDONING A PORTION OF A STREET OR ALLEY RIGHT-OF-WAY GENERALLY LOCATED ON NORTH DRIVE IN THE TOWN OF FLOWER MOUND, DENTON COUNTY, TEXAS; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; CREATING A UTILITY EASEMENT; AUTHORIZING THE TOWN MANAGER TO EXECUTE A QUITCLAIM DEED TO THE ABUTTING PROPERTY OWNER; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

13. Consider approval of the Professional Services Agreement to Alliance Geotechnical Group Inc., for the construction material testing of the Sheffield Court, Colony Drive, and Colonial Drive Reconstruction projects, in the amount of \$55,126.25.

RECOMMENDATION: Move to approve the Professional Services Agreement to Alliance Geotechnical Group Inc., for the construction material testing of the Sheffield Court, Colony Drive, and Colonial Drive Reconstruction projects, in the amount of \$55,126.25.

14. Consider approval of the award of Bid No: 2014-68, to FNH Construction, LLC, for the construction of the Sheffield Court, Colony Drive and Colonial Drive projects, in the amount of \$984,043.50; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the award of Bid No: 2014-68, to FNH Construction, LLC, for the construction of the Sheffield Court, Colony Drive and Colonial Drive projects, in the amount of \$984,043.50; and authorization for the Mayor to execute same on behalf of the Town.

15. Consider approval of the purchase and installation of data cabling, communications equipment & IP licenses, for the Senior Center project, from Black Box Network Services, in the amount of \$57,351.00.

RECOMMENDATION: Move to approve the purchase and installation of data cabling, communications equipment & IP licenses, for the Senior Center project, from Black Box Network Services, in the amount of \$57,351.00.

16. Consider approval of a resolution authorizing the execution of a National Highway System (NHS) Program Project Agreement for State-Contracted Traffic Signal Construction (with a Municipality Providing Limited Materials or Labor) with the Texas Department of Transportation, for the purchase of traffic signal equipment for the FM 407 at McMakin intersection, at a cost of \$16,998.50; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve a resolution authorizing the execution of a National Highway System (NHS) Program Project Agreement for State-Contracted Traffic Signal Construction (with a Municipality Providing Limited Materials or Labor) with the Texas Department of Transportation, for the purchase of traffic signal equipment for the FM 407 at McMakin intersection, at a cost of \$16,998.50; and authorization for the Mayor to execute same on behalf of the Town.

RESOLUTION NO. 02-15

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING A NATIONAL HIGHWAY SYSTEM PROGRAM PROJECT AGREEMENT FOR STATE-CONTRACTED TRAFFIC SIGNAL CONSTRUCTION (WITH A MUNICIPALITY PROVIDING LIMITED MATERIALS OR LABOR) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF TRAFFIC SIGNAL EQUIPMENT FOR THE FM 407 AT MCKAMIN ROAD INTERSECTION; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

17. Consider approval of a Design Amendment No. 1 to the Professional Services Agreement with Freese and Nichols, Inc., to provide professional engineering services for the Sagebrush Drive Improvements (FM 2499 to Old Settlers) project, for an increase of \$29,800.00.

RECOMMENDATION: Move to approve a Design Amendment No. 1 to the Professional Services Agreement with Freese and Nichols, Inc., to provide professional engineering services for the Sagebrush Drive Improvements (FM 2499 to Old Settlers) project, for an increase of \$29,800.00.

18. Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2014 and ending on September 30, 2015, as adopted by Ordinance No. 53-14 and amended by Ordinance 62-14 for adjustments to the General Fund and the Utility Fund.

RECOMMENDATION: Move to approve an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2014 and ending on September 30, 2015, as adopted by Ordinance No. 53-14 and amended by Ordinance 62-14 for adjustments to the General Fund and the Utility Fund.

ORDINANCE NO. 03-15

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2014, AND ENDING ON SEPTEMBER 30, 2015, AS ADOPTED BY ORDINANCE NO. 53-14 AND AMENDED BY ORDINANCE NO. 62-14, BY PROVIDING FOR ADJUSTMENTS TO THE GENERAL FUND AND UTILITY FUND; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Webb moved to approve by consent Items 1 – 18. Deputy Mayor Pro Tem Walker seconded the motion. Each item, as approved by consent, is restated above along with the approved recommendation, and if applicable, the Ordinance or Resolution caption for each, for the record.

VOTE ON MOTION

AYES: WALKER, WEBB, DIXON, WISE

NAYS: NONE

ABSENT: LEVENICK

Town Council recessed at 7:51 p.m. and reconvened at 8:00 p.m.

Administrative Note: Items below were not necessarily heard in the order as outlined in the agenda.

J. REGULAR ITEMS

19. Consider approval of a resolution of the Town Council of the Town of Flower Mound, Texas, expressing its support of the Healthy Kids, Healthy Family, Healthy Communities campaign, and providing an effective date.

Staff Presentation

Mayor Hayden provided background information that led to the creation of the campaign. Councilmember Webb highlighted the purpose of the *Five Things to Know* pamphlet and expressed appreciation to Dr. Rogers for championing the campaign with LISD.

Councilmember Dixon moved to approve a resolution of the Town Council of the Town of Flower Mound, Texas, expressing its support of the Healthy Kids, Healthy Family, Healthy Communities campaign, and providing an effective date. Councilmember Wise seconded the motion.

RESOLUTION NO. 03-15

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, EXPRESSING ITS SUPPORT OF THE HEALTHY KIDS, HEALTHY FAMILY, HEALTHY COMMUNITIES CAMPAIGN; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: WISE, DIXON, WEBB, WALKER

NAYS: NONE

ABSENT: LEVENICK

20. Public Hearing to consider a request for a Master Plan Amendment (MPA14-008) to amend Section 8.0, Water Plan, of the Master Plan to adopt the Denton Creek Reuse Water Master Plan to meet the Town of Flower Mound's reuse water system infrastructure needs over the build-out of the system located within the Denton Creek Planning Area, and to consider adopting an ordinance providing for said amendment.

Staff Presentation

Ms. Bruce introduced Mr. Glenn Gary with Kimley Horn.

Consultant Presentation

Glenn Gary, Kimley Horn

Mr. Gary gave a presentation identifying or noting:

- Why reuse
- Water supply needs
- What is reuse water
- Denton Creek reuse water master plan
- Objectives/Purpose of report
- Service area
- Potential reuse opportunities
- Projected consumption
- Capital infrastructure required
- Infrastructure costs
- TCEQ status

Mr. Gary responded to questions from Council as follows:

- Since the costs are phased in, what is required up-front?

Mayor Hayden opened the Public Hearing at 12:27 a.m. on Friday, January 16, 2015. No one spoke in support or opposition. Mayor Hayden closed the Public Hearing at 12:27 a.m. on Friday, January 16, 2015.

Deputy Mayor Pro Tem Walker moved to approve a Master Plan Amendment (MPA14-008) to amend Section 8.0, Water Plan, of the Master Plan to adopt the Denton Creek Reuse Water Master Plan to meet the Town of Flower Mound's reuse water system infrastructure needs over the build-out of the system located within the Denton Creek Planning Area, and to consider adopting an ordinance providing for said amendment. Councilmember Wise seconded the motion.

ORDINANCE NO. 04-15

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE MASTER PLAN, BY AMENDING ORDINANCE NO. 24-01 IN PART, WHICH ADOPTED THE MASTER PLAN; BY AMENDING SECTION 8.0 WATER PLAN BY ADDING A PROVISION RELATED TO THE ADOPTION OF THE DENTON CREEK REUSE WATER MASTER PLAN; ADOPTING THE DENTON CREEK REUSE WATER MASTER PLAN AS A COMPONENT OF THE MASTER PLAN; REPEALING ALL CONFLICTING ORDINANCES, ORDERS, OR RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: WALKER, WEBB, DIXON, WISE

NAYS: NONE

ABSENT: LEVENICK

21. Public Hearing to consider an application for a tree removal permit for two (2) specimen trees on property proposed for development as Parkside at Woodlake Estates. The property is generally located west of Long Prairie Road between Aberdeen Drive and Spinks Road. *(The Environmental Conservation Commission recommended approval by a vote of 6-0 at its January 6, 2015, meeting).*

Staff Presentation

Mr. Woods gave a presentation identifying or noting:

- Project location
- Project information
- Applicant is requesting removal of two additional trees
- Mitigation requirements
- Map identifying the location of the trees requested to be removed
- Photos of the trees requested to be removed

Applicant Presentation

Reginald Rembert, 3625 Bonanza Lane, Flower Mound

Mr. Rembert responded to questions from Council related to:

- Was the Ash tree near the detention pond missed initially
- What will be the deciding factor in whether to keep or remove one of the trees (since it was presented as tentative to remove, however, seeking approval of the removal just in case)

Mayor Hayden opened the Public Hearing at 12:15 a.m.

The following individuals either spoke in support or opposition, or had questions / comments related to the item:

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
		1. Reggie Rembert, 3625 Bonanza Ln

Mayor Hayden closed the Public Hearing at 12:17 a.m. on Friday, January 16, 2015.

Councilmember Webb moved to approve the requested permit for the removal of two (2) specimen trees on property proposed for development as Parkside at Woodlake Estates. The property is generally located west of Long Prairie Road between Aberdeen Drive and Spinks Road. Deputy Mayor Pro Tem Walker seconded the motion.

VOTE ON THE MOTION

AYES: WALKER, WEBB, DIXON, WISE

NAYS: NONE

ABSENT: LEVENICK

Mayor Hayden opened items 22 and 23 at the same time.

22. Public Hearing to consider a request for a Master Plan Amendment (MPA14-0003 – Trailwood) to amend Section 1.0, Land Use Plan, and Section 2.0, Area Plans, of the Master Plan to change the current land use designation from Denton Creek District with Campus Industrial uses to Denton Creek District with High Density Residential uses on approximately 124.97 acres of land, and to consider adopting an ordinance providing for said amendment. The property is generally located south of Cross Timbers Road and west of U.S. 377. *(This item is being heard by the Planning and Zoning Commission on January 12, 2015.)*

23. Public Hearing to consider a request for rezoning (ZPD14-0011 – Trailwood) from Interim Holding District (IH) to Planned Development District No. 136 (PD-136) with Single-Family District-5 (SF-5) uses with certain exceptions and modifications to the Code of Ordinances, and to consider adopting an ordinance providing for said amendment. The property is generally located south of Cross Timbers Road and west of U.S. 377. *(This item is being heard by the Planning and Zoning Commission on January 12, 2015.)*

Staff Presentation

Mr. Powell gave a presentation for items 22 and 23 identifying or noting:

- General location

- Land use and zoning
- Denton Creek District plan
- Site photos
- Concept plan
- Summary of modifications (lot sizes)
- Setbacks
- Relief request (slope protection)
- Aerial maps (prairie and flood plain)
- Canyon Falls comparison information
- Aerial map (Cowboy Lane)

Applicant Presentation

Daniel Difonzo, 218 West Wall Street, Grapevine, representing Zena Land Development (developer), and Randy Rivera, Land Planner, G & A Consulting

Ms. Rivera gave a presentation identifying or noting:

- Property location
- Existing topography
- Site photos
- Land use change
- SPA 8 Concept Change
- Thoroughfare plan
- Zoning
- Previous concept plans
- Proposed concept plan
- Site cross section
- Trail Section
- Trailwood entrance
- Examples of homes that are reflective of the style and elevation
- Examples of open spaces that are proposed for Trailwood
- Development regulations
- Trailwood lots (illustration about how the lots are dispersed throughout the property)
- Trailwood SF-10 Comparison

Ms. Rivera or Mr. Dollak responded to questions or comments from Council regarding:

- Price point of the homes
- Need for additional open areas, such as with parks, along with a decrease in lots
- A request to summarize what they heard this evening and what could they adjust in their plan to accommodate some of those request

Mr. Powell or Mr. Woods responded to questions from Council regarding

- Outcome at P & Z
- Do they need or want the density
- Adjacent property ownership and associated zoning

- Road access requirements
- Continuity of uses and accessibility
- Additional information regarding the prairie environmental feature

Mayor Hayden opened the Public Hearing for items 22 and 23 at 11:12 p.m.

The following individuals either spoke in support or opposition, or had questions / comments related to the item and all addresses are located in Flower Mound unless otherwise indicated:

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
	<ol style="list-style-type: none"> 1. Katie Lowe, 3113 Springwood Rd 2. Rick Garces, 435 Whispering Hills, Coppell 3. Russell Baldwin, 8724 Lariat Cr, Keller 4. Katy Grote, 165 Double Oaks Dr, Double Oak 5. Sherillyn Flick, 3220 Miracle Ln 6. Shane Reber, 905 Lochmoor Ln, Highland Village 7. Kathy Blair, 5713 Forest Hill 8. Renee Doyle, 920 Drake Trl 9. Michelle Hawkins, 9120 Shashowee Trail 	

Mayor Hayden closed the Public Hearing at 11:33 p.m.

There was Council discussion related to:

- The need for additional work regarding the layout
- Not a good fit overall given the density
- Pros and cons associated with the various features presented

Councilmember Webb moved to postpone indefinitely a request for a Master Plan Amendment for Trailwood (item #22) and a request for rezoning for Trailwood (item #23). Deputy Mayor Pro Tem Walker seconded the motion.

VOTE ON THE MOTION

AYES: WISE, DIXON, WEBB, WALKER

NAYS: NONE

ABSENT: LEVENICK

Town Council recessed at 11:55 p.m. on Thursday, January 15, 2015, and reconvened at 12:09 a.m. on Friday, January 16, 2015.

24. Public Hearing to consider a request for rezoning (Z14-0007 - The River Walk at Central Park) to amend The River Walk at Central Park Zoning Ordinance No. 46-08, by amending Exhibit B, "Development Standards," and by amending Exhibit C, "Concept Plans," and to consider adopting an ordinance providing for said amendment, subject to the terms and conditions in the attached amended Development Agreement and authorization for Mayor to execute same on behalf of the Town. The property is generally located north of Cross Timbers Road, west of Morriss Road, and east of Long Prairie Road. *(This item is being heard by the Planning and Zoning Commission on January 12, 2015.)*

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- Site location
- Land use and zoning (specific to the River Walk)
- Original concept plan (2008) and subsequent changes (2010, 2013)
- Summary of enhancements
- Zoning amendments
- Tonight is to rectify the discussions since the Public Improvement District (PID) was adopted to conform the zoning to the PID
- 2015 Amendments – development standards (28 items) and development agreement amendment (revised Traffic Impact Analysis (TIA) and revised roadway improvements)
- New concept plan proposal and associated changes
- Development standards
- Public comments to date

Mr. Powell responded to questions from Council related to:

- How many stories was the building across from the amphitheater (from the concept plan in 2008)

Applicant Presentation

Mehrdad Moayedi, Centurion American; Bobby Dollak, G & A Consultants, 111 Hillside Drive, Lewisville, TX 75057

Mr. Dollak or Mr. Moayedi gave a presentation identifying or noting:

- History of the property
- Scale comparison
- Initial entitlements
- Market Street
- TIA square feet comparison
- Chapel location & rendering
- August 2013 Council meeting recap
- Aerial photos of the site (December 2014)

- Concept plan
- Rendering of Commercial District, restaurant row, podium parking, central promenade plaza
- Rendering of Farmer’s Market area and noted sculptures of various types of flowers are planned to be incorporated
- Land use plan
- Subdistrict plan
- Building heights
- Street hierarchy
- Townhomes panhandle
- Townhomes proposed
- Townhomes – Morriss Rd
- Retail area
- Explanation for their request related to the standards and the concept plan

Mr. Dollak or Mr. Moayedi responded to questions or comments from Council, as well as from the public (as presented during the public hearing) regarding:

- Dislike for residential west of the river on the southern part (because previously it was supposed to be a buffer of trees and not townhomes for the Forums neighborhood)
- Costs associated with the installation of turn lanes
- Concerns regarding the introduction of Townhomes as an encroachment in the section where an assisted living facility was previously proposed
- Interest in a recalculation on the TIA
- Reason for the product change
- What will be the draw for someone to cross on the other side of the river
- Where is the additional non-residential square footage coming from
- Visibility of the restaurants and the request for electronic signs

Mayor Hayden opened the Public Hearing at 9:19 p.m.

The following individuals either spoke in support or opposition, or had questions / comments related to the item and all addresses are located in Flower Mound unless otherwise indicated:

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
1. Carol Kohankie, 4312 Lauren Way 2. Spencer Byington, 5600 S. FM148, Kaufman, TX 3. Scott Tarwater, 4613 Windmill Ln 4. Don Shields, 3815 Cortadera Ct 5. Bill Resch, representing Rainier Medical, 801 Hanover, Grapevine, TX	1. Renee Doyle, 920 Drake Trl 2. Brian Rountree, 3200 Jameston Dr	1. Carmen Dominguez-Cabre, 5117 Heather Ct 2. Connie Smith, 2700 Pecan Leaf 3. Gloria Vargo, 1312 Rustic Timbers Ln.

Mayor Hayden closed the Public Hearing at 9:40 p.m.

Councilmember Webb moved to approve a request for rezoning (Z14-0007 - The River Walk at Central Park) to amend The River Walk at Central Park Zoning Ordinance No. 46-08, by amending Exhibit B, "Development Standards," and by amending Exhibit C, "Concept Plans," and to consider adopting an ordinance providing for said amendment, subject to the terms and conditions in the attached amended Development Agreement and exempting out item #29 of the request in the development agreement and authorization for Mayor to execute same on behalf of the Town. Deputy Mayor Pro Tem Walker seconded the motion.

VOTE ON THE MOTION

AYES: WISE, DIXON, WALKER, WEBB

NAYS: NONE

ABSENT: LEVENICK

Councilmember Webb moved to have item #29 (Revised Exhibit B to the 2008 Agreement) of the Development Agreement postponed indefinitely. Deputy Mayor Pro Tem Walker seconded the motion.

VOTE ON THE MOTION

AYES: WALKER, WEBB, DIXON, WISE

NAYS: NONE

ABSENT: LEVENICK

ORDINANCE NO. 05-15

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 46-08, THE RIVER WALK AT CENTRAL PARK ADDITION, AS AMENDED, THROUGH THE AMENDMENT OF EXHIBIT "B" ENTITLED "DEVELOPMENT STANDARDS" AND EXHIBIT "C" ENTITLED "CONCEPT PLANS" TO ORDINANCE NO. 46-08 BY AMENDING MULTIPLE SECTIONS THEREIN AS DEPICTED IN EXHIBIT "A" TO THIS ORDINANCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

Mayor Hayden opened items 25 and 26 at the same time.

25. Public Hearing to consider a request for a Master Plan Amendment (MPA14-0004 – Southgate at Flower Mound) to amend Section 1.0, Land Use Plan, and Section 2.0, Area Plans, of the Master Plan to change the current land use designation from Campus Industrial uses to Campus Commercial uses on approximately 28.03 acres of

land, and to consider adopting an ordinance providing for said amendment. The property is generally located east of Gerault Road and north Long Prairie Road. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its November 10, 2014, meeting.)*

26. Public Hearing to consider a request for rezoning (ZPD14-0006 – Southgate at Flower Mound) from Planned Development District No. 47 (PD-47) with Commercial District-2 (C-2) and Industrial District-2 (I-2) uses to Planned Development District No. 134 (PD-134) with both non-residential and residential uses in compliance with the Campus Commercial land use designation within the Lakeside Business District Area Plan, and with certain exceptions and waivers to the Code of Ordinances, and to consider adopting an ordinance providing for said amendment, 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 east of Gerault Road and north Long Prairie Road. *(The Planning and Zoning Commission recommended denial by a vote of 4 to 2 at its December 8, 2014, meeting.)*

Mayor Hayden summarized the process to date where Town officials and the developer have been working on an amicable development agreement to present to Council. He noted more time is needed to come to resolution.

Applicant Presentation

Stephen Williamson, President, Beverly Development Corporation

Mr. Williamson requested Council postpone the Southgate items to a future date to allow them to work on it again to address some concerns previously identified.

Councilmember Dixon moved to postpone the request for a Master Plan Amendment (item 25) for Southgate at Flower Mound indefinitely. Councilmember Webb seconded the motion.

VOTE ON THE MOTION

AYES: WALKER, WEBB, DIXON, WISE

NAYS: NONE

ABSENT: LEVENICK

Councilmember Dixon moved to postpone the request for rezoning (item 26) for Southgate at Flower Mound indefinitely. Councilmember Webb seconded the motion.

VOTE ON THE MOTION

AYES: WISE, DIXON, WEBB, WALKER

NAYS: NONE

ABSENT: LEVENICK

K. BOARDS/COMMISSIONS (Executive Conference Room)

Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Animal Services Board, Cultural Arts Commission, Environmental Conservation Commission, Parks, Arts and Library Services Board, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), and Transportation Commission.

No action taken.

L./M. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 12:36 a.m. on January 16, 2015, 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 economic development negotiations, real property, personnel, and consultation with attorney, and reconvened into an open meeting at 1:16 a.m. on January 16, 2015, to take action on the items as follows:

- a. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.

No action taken.

- b. Discuss and consider purchase, exchange, lease or value of real property for parks and/or other municipal purposes and all matters incident and related thereto.

No action taken.

- c. Discuss and consider resignations, appointments, or evaluations for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission.

No action taken.

- d. Consultation with Attorney as follows:

1. State Farm Mutual Automobile Insurance Company, as subrogee of Sandra Terrell v. Town of Flower Mound
2. Ivanna Terrell v. Town of Flower Mound, Texas and Brandon Carley
3. Lanette Williams a/n/f A.W., a Minor Child vs. Town of Flower Mound
4. Keystone Exploration, LTD. and EXPRO Engineering, Inc. vs The Town of Flower Mound and The Flower Mound Oil and Gas Board of Appeals

No action taken.

- e. **Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Municipal Court Judge.**

Councilmember Webb moved to approve the ordinance to appoint the Judge of the Municipal Court of Record in the Town of Flower Mound. Deputy Mayor Pro Tem Walker seconded the motion.

ORDINANCE NO. 06-15

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS APPOINTING THE JUDGE OF THE MUNICIPAL COURT OF RECORD IN THE TOWN OF FLOWER MOUND; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: WISE, DIXON, WEBB, WALKER

NAYS: NONE

ABSENT: LEVENICK

M. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 1:17 a.m. on Friday, January 16, 2015, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

THOMAS E. HAYDEN, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY

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