

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 16TH DAY OF FEBRUARY 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
Jean Levenick	Mayor Pro Tem
Michael Walker	Deputy Mayor Pro Tem
Bryan Webb	Councilmember Place 2
Mark Wise	Councilmember Place 3
Steve Dixon	Councilmember Place 4

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
Mark Wood	Director of Economic Development
Matt Hotelling	Traffic Engineer
Eric Greaser	Fire Chief

A. CALL REGULAR MEETING TO ORDER

Mayor Hayden called the regular meeting to order at 6:01 p.m.

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

Mike Lewis from the Flower Mound Church of Christ gave the invocation and Mayor Hayden led the pledges.

D. PRESENTATIONS

1. Library presentation of Texas Municipal Library Directors 'Excellence in Library Service' Award

Sue Ridnour, Director of Library Services, and members of the Cultural Arts Committee, accepted the award.

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.

Missy Grant, 3303 Sycamore Dr

James Engel, 5110 Bayberry

Kelly James, 5113 Bayberry

Emily and Nicholas Strittmatter, 4816 Mesquite St
Kevin Bryant, 1537 Yaggi Dr
Eddie Wynne, 4841 Rippy Rd
Todd Eady, 3305 Pecan Meadows
Shyron Shenko, 5001 Rippy Rd

F. ANNOUNCEMENTS

Mayor Hayden announced that the Town received recognition for being transparent in government. He requested that the document related to the master plan changes that have occurred since 1994 get placed on the Town web site.

Councilmember Webb announced that the Summit Club's Western Saloon Night is scheduled for March 7th at Circle R Ranch.

G. TOWN MANAGER'S REPORT

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

Mr. Stathatos gave the following updates related to the CIP:

- Street reconstruction project on Colony
- Highlighted various park improvements currently in design, as well as others that are out to bid

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

Mr. Stathatos gave the following updates related to ED projects:

- Black Walnut is scheduled to open on the 19th
- Spec office space project update
- Signature Systems group recently relocated from New York to Flower Mound
- Custom Ink is now hiring

3. Update on Operations & Maintenance facility.

Ms. Wallace gave an update on the Town's operations and maintenance facility noting that staff moved in last week and the 26,000 square foot building houses 95 employees, which includes most of the Public Works divisions, as well as Parks Administration and services.

Council comments and/or questions for the Town Manager:

Councilmember Dixon inquired about the Town's ability to bring back a function of the Town's web site (prior to the transition with the new provider) that gave residents the opportunity to view an interactive guide related to the process in which the Town goes through for a development project, for example.

Mr. Stathatos responded that when that request was made about a year ago to the current provider they didn't have the ability to bring it back, however, staff will get with the provider again to see if anything has changed, and if not, will explore other options to see if there is a work around that gets to the same goal.

H. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

- 1./2. The Town Council work session for February 19th has been canceled and the next Town Council meeting is scheduled for March 2nd.

I. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on February 2, 2015.

RECOMMENDATION: Move to approve the minutes from a regular meeting of the Town Council held on February 2, 2015.

2. Consider approval of a resolution ordering the May 9, 2015, general election for the purpose of electing Council Member Place 1, Council Member Place 3, and Council Member Place 5, for two-year terms each.

RECOMMENDATION: Move to approve a resolution ordering the May 9, 2015, general election for the purpose of electing Council Member Place 1, Council Member Place 3, and Council Member Place 5, for two-year terms each.

RESOLUTION NO. 05-15

A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 9, 2015, FOR THE OFFICES OF TOWN COUNCIL PLACE 1, AND TOWN COUNCIL PLACE 3; AND TOWN COUNCIL PLACE 5, ESTABLISHING PROCEDURES FOR THOSE ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

3. Item 3 was pulled from Consent and moved to Regular items.
4. Consider approval of the award of Bid No. 2015-33 to SJ Louis Construction of Texas, LTD, for the Oak Street Phase III Lift Station and Forcemain project, in the amount of \$5,442,771.57; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the award of Bid No. 2015-33 to SJ Louis Construction of Texas, LTD, for the Oak Street Phase III Lift Station and Forcemain project, in the amount of \$5,442,771.57; and authorize the Mayor to execute same on behalf of the Town.

5. Consider approval of a Professional Services Agreement with Schrickel, Rollins and Associates, Inc., to provide master planning and construction documents associated with the Heritage Park of Flower Mound Phase II project, for additional elements located in the West part of Heritage Park, in the amount of \$85,000.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve Move to approve a Professional Services Agreement with Schrickel, Rollins and Associates, Inc., to provide master planning and construction documents associated with The Heritage Park of Flower Mound Phase II project, for additional elements located in the West part of Heritage Park, in the amount of \$85,000.00; and authorize the Mayor to execute same on behalf of the Town.

6. Item 6 was pulled from Consent and moved to Regular items.
7. Consider approval of the award of Bid No. 2015-37 to 2L Construction LLC, for the construction of the Braden Bakersfield Improvements project, for \$281,249.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the award of Bid No. 2015-37 to 2L Construction LLC, for the construction of the Braden Bakersfield Improvements project, for \$281,249.00; and authorize the Mayor to execute same on behalf of the Town.

8. Consider approval of Amendment No. 2 to the Fiscal Year 2014-2015 Capital Improvement Program.

RECOMMENDATION: Move to approve Amendment No. 2 to the Fiscal Year 2014-2015 Capital Improvement Program.

9. Consider approval of Change Order No. 1 with Steele Freeman Inc., to provide a transmission and service natural gas line for the Flower Mound Senior Center for \$122,519.08, increasing the total contract amount to \$5,302,987.08; and authorizing the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve Change Order No. 1 with Steele Freeman Inc., to provide a transmission and service natural gas line for the Flower Mound Senior Center for \$122,519.08, increasing the total contract amount to \$5,302,987.08; and authorize the Mayor to execute same on behalf of the Town.

10. Consider approval of the purchase of furnishings for the Senior Center project, from GL Seaman & Company, through a Texas Multiple Award Schedule contract, in the amount of \$106,096.23.

RECOMMENDATION: Move to approve the purchase of furnishings for the Senior Center project, from GL Seaman & Company, through a Texas Multiple Award Schedule contract, in the amount of \$106,096.23.

11. Consider approval of a resolution approving and authorizing publication of notice of intention to issue Certificates of Obligation, Series 2015, in the principal amount not to exceed \$3,100,000.

RECOMMENDATION: Move to approve a resolution approving and authorizing publication of notice of intention to issue Certificates of Obligation, Series 2015, in the principal amount not to exceed \$3,100,000.

RESOLUTION NO. 07-15

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

Councilmember Dixon moved to approve by consent Items 1-2; 4-5; and 7-11. Councilmember Webb 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: Webb, Walker, Levenick, Dixon, Wise

NAYS: None

J. REGULAR ITEMS

3. Consider approval of a Professional Services Agreement with Richard Mudd to provide Housing Rehabilitation Specialist services, and authorization for the Mayor to execute same on behalf of the Town.

Mayor Pro Tem Levenick stated she requested the item be pulled because the associated exhibits as noted in the packet are missing.

Ms. Wallace clarified the purpose of the item based on an inquiry made during public participation.

Mayor Pro Tem Levenick moved to postpone a Professional Services Agreement with Richard Mudd to provide Housing Rehabilitation Specialist services, and authorize the Mayor to execute same on behalf of the Town to March 2, 2015. Councilmember Wise seconded the motion.

VOTE ON THE MOTION

AYES: Wise, Dixon, Levenick, Walker, Webb

NAYS: None

6. 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 Simmons intersection, at a cost of \$17,115.50; and authorization for the Mayor to execute same on behalf of the Town.

Councilmember Dixon indicated he requested the item be pulled from consent to allow for an explanation given the location of FM 407 and Simmons is not in the Town's boundaries.

Mr. Hotelling offered a response and pointed out how the Town will be compensated for the operation and maintenance of the light.

Councilmember Dixon moved 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 Simmons intersection, at a cost of \$17,115.50; and authorize the Mayor to execute same on behalf of the Town.

RESOLUTION NO. 06-15

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 SIMMONS ROAD INTERSECTION; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Webb, Walker, Levenick, Dixon, Wise

NAYS: None

12. Consider approval of a Professional Services Agreement for an entrepreneurial center feasibility analysis, and authorization for the Mayor to execute same on behalf of the Town.

Staff Presentation

Mr. Wood gave a presentation summarizing the details of the Professional Services Agreement.

Consultant Presentation

Mr. Jason Adams gave a presentation identifying or noting:

- Background information about himself
- What will be done in the next 90 days
- Complementary growth strategy (entrepreneurs and impact)
- Entrepreneurial eco-system
- Example programs
- What is needed
- How an entrepreneurial rec center works
- Next steps
- End result they expect to achieve

Mr. Adams responded to questions from Council as follows:

- What other communities in North Texas are doing this
- What is the long term vision as to where could be in two years
- Is there a point where this becomes self-sustaining
- What is the Town's initial investment (financial or other resources) and what is from other investors
- If communal unique entrepreneurial centers could work for our area
- Summary of deliverables after the next 90 days
- How quickly do companies typically become profitable and move out on their own
- Is there a set time where the business must vacate

Mr. Stathatos responded to questions from Council as follows:

- Update on another location that was talked about in the past regarding having an incubator in their project

Mayor Hayden indicated he reached out to Highland Village to understand their interest in participating.

Councilmember Webb moved to approve a Professional Services Agreement for an entrepreneurial center feasibility analysis, and authorization for the Mayor to execute same on behalf of the Town. Councilmember Dixon seconded the motion.

VOTE ON THE MOTION

AYES: Wise, Dixon, Levenick, Walker, Webb

NAYS: None

Mayor Hayden opened items 13 and 14 at the same time.

13. 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. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its January 12, 2015, meeting.) (This item was postponed at the January 15, 2015, Town Council Meeting.)*
14. 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. *(The Planning and Zoning Commission recommended approval by a vote of 4 to 2 at its January 12, 2015, meeting.) (This item was postponed at the January 15, 2015, Town Council Meeting.)*

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- General location
- Detailed location
- Land use and zoning
- Concept plan

Mr. Powell responded to questions from Council as follows:

- What is allowed in campus industrial and a request to address the holding pattern
- What would be the open space requirements for campus industrial

Applicant Presentation

Randi Rivera, G & A Consultants, 111 Hillside Drive, Lewisville, TX 75057

Ms. Rivera gave a presentation identifying or noting:

- Previous concept plan
- Concept plan comparison
- Proposed concept plan
- Open space examples
- Plan comparison
- Trailwood lots based on the new plan
- Trevino property compromise

Ms. Rivera responded to questions from Council as follows:

- Who will maintain the pocket parks
- Clarification as to the amount of open space
- Clarification regarding the railroad right of way distance
- Will the open space include irrigation and will there be a well

There was council discussion or comments related to:

- The utilization of open space
- How this project protects some of the environmentally sensitive things in this area
- Proximity to Canyon Falls and how it complements that project

Mayor Hayden opened the Public Hearing for items 13 and 14 at 7:48 p.m.

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

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
Debi Friedlander, 2700 Rocky Point Rd	None	Carol Kohankie, 4312 Lauren Way
Oscar Trevino, 4501 Hwy 377		

Mayor Hayden closed the Public Hearing for items 13 and 14 at 7:56 p.m.

ORDINANCE NO. 08-15

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 1.0, LAND USE PLAN, AND SECTION 2.0, AREA PLANS, OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, TO CHANGE THE CURRENT LAND USE REFLECTED ON THE DENTON CREEK DISTRICT AREA PLAN MAP FROM CAMPUS INDUSTRIAL USES TO HIGH DENSITY RESIDENTIAL USES ON APPROXIMATELY 123.829 ACRES OF LAND SITUATED IN THE M.E.P. & P. RR CO. SURVEY, ABSTRACT NUMBER 922, AND BRUCE WHEELER SURVEY, ABSTRACT NUMBER 1605; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

13. Councilmember Webb moved to approve 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. Councilmember Wise seconded the motion.

VOTE ON THE MOTION

AYES: Webb, Walker, Levenick, Dixon, Wise

NAYS: None

ORDINANCE NO. 09-15

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 123.829 ACRES OF LAND SITUATED IN THE M.E.P. & P. RR CO. SURVEY, ABSTRACT NUMBER 922, AND BRUCE WHEELER SURVEY, ABSTRACT NUMBER 1605, FROM INTERIM HOLDING (IH) TO PLANNED DEVELOPMENT DISTRICT NO. 136 (PD-136) WITH SINGLE-FAMILY DISTRICT-5 (SF-5) USES IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; 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.

14. Councilmember Webb moved to approve 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. Deputy Mayor Pro Tem Walker seconded the motion.

VOTE ON THE MOTION

AYES: Wise, Dixon, Levenick, Walker, Webb

NAYS: None

15. Consider approval of an ordinance for MISC15-0001 street name change for three streets adjacent to the River Walk Development. *(The Transportation Commission recommended changing of these street name changes by a vote of 5 to 0 at its January 13, 2015, meeting.) (This item was postponed at the February 2, 2015, Town Council Meeting.)*

In addition, street name changes for two streets adjacent to the Central Fire Station (currently 3838 Forums) are being considered. *(The Transportation Commission recommended changing of these additional street names by a vote of 6 to 0 at its February 10, 2015, meeting.)*

Staff Presentation

Mr. Hotelling gave a presentation identifying or noting:

- Location of streets around the Fire Station
- Aerial map with existing names
- Proposed names
- Reason for the request
- Transportation Commission recommendation summary
- Notification process

Mr. Hotelling or Mr. Greaser responded to questions from Council as follows:

- Clarification regarding the existence of an addresses on Olympia
- What is the impact in changing the address of the Fire Station

Applicant Presentation

Bobby Dollak, G & A Consulting, 111 Hillside Drive, Lewisville, TX 75057

Mr. Dollak provided an update on feedback from tenants within the building located on Forums regarding the proposed name change.

ORDINANCE NO. 10-15

THE REVISED ORDINANCE CAPTION WILL BE FORTHCOMING WITH THE OFFICIAL MINUTES ON MARCH 2, 2015 TO REFLECT THE ADDITIONAL CHANGES AS STATED IN THE FOLLOWING MOTION.

Deputy Mayor Pro Tem Walker moved to approve an ordinance for MISC15-0001 a street name change for Euclid Avenue, Forums Drive (3600-3700 Block), Forums Drive (3800 Block), Olympia Drive (2000-2100 Block) and Buckeye Drive to Market Street, River Walk Drive, Central Fire Station Drive, South Broadway Avenue (3900 Block) and 1st Avenue, respectively. Councilmember Dixon seconded the motion.

VOTE ON THE MOTION

AYES: Webb, Walker, Levenick, Dixon, Wise

NAYS: None

16. Public Hearing to consider a request for rezoning (ZPD15-0002 – Hunter’s Glen) to amend Planned Development District No. 131 (PD-131) with Single-Family District-10 (SF-10) uses, by amending Ordinance No. 15-14 to add an exception to Section 90-423, “Underground utilities,” of the Code of Ordinances for the overhead utility lines located within the property along Arrowhead Drive, and to consider adopting an ordinance providing for said amendment. The property is generally located south of Cross Timbers Road between Firewheel Drive and Fireside Drive. *(The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its February 9, 2015, meeting.)*

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- Detailed location
- Land use and zoning
- Photos of the site
- Approved plans
- Overhead utility lines exception

Mr. Powell, Mr. Meredith, or Mr. Stathatos responded to questions from Council as follows:

- Specifically what is preventing them from burying the lines
- Legal considerations as it relates to the Town and the utility company
- Confirmation that the Town has plans to incorporate the appropriate engineering to calculate the rough proportionality assessment

Application Presentation

Ms. Jennifer Rabon, Vice President of Development, Wilbow Corporation, 4131 N. Central Expressway, Dallas, TX 75204

Ms. Rabon responded to questions from Council as follows:

- Did CoServ provide an estimate as to what it would cost to bury those lines
- Are there other communities that require burying of underground utilities

There was general Council discussion about the workability and how realistic the Ordinance is as it relates to the burying of overhead power lines, including the possibility of introducing an escrow account option that could be triggered within the Ordinance for future use when opportunities arise. There was also interest in knowing the exact cost differential as it relates to overhead and underground utilities.

Mayor Hayden opened the Public Hearing at 8:40 p.m.

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

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/ Comments Only
None	Todd Eaddy, 3305 Pecan Meadows	None

Mayor Hayden closed the Public Hearing at 8:42 p.m.

ORDINANCE NO. 11-15

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 15-14, WHICH ESTABLISHED PLANNED DEVELOPMENT DISTRICT NO. 131 (PD-131); BY ADDING AN EXCEPTION TO SECTION 90-423, "UNDERGROUND UTILITIES," OF THE CODE OF ORDINANCES FOR THE OVERHEAD UTILITY LINES LOCATED WITHIN THE PROPERTY ALONG ARROWHEAD DRIVE; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL 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 Pro Tem Levenick moved to approve a request for rezoning (ZPD15-0002 – Hunter’s Glen) to amend Planned Development District No. 131 (PD-131) with Single-Family District-10 (SF-10) uses, by amending Ordinance No. 15-14 to add an exception to Section 90-423, "Underground utilities," of the Code of Ordinances for the overhead utility lines located within the property along Arrowhead Drive, and to consider adopting an ordinance providing for said amendment. The property is generally located south of Cross Timbers Road between Firewheel Drive and Fireside Drive. Councilmember Wise seconded the motion.

VOTE ON THE MOTION

AYES: Wise, Levenick, Walker, Webb

NAYS: Dixon

17. Consider a request for a Site Plan (SP14-0032 – Avanti Assisted Living) to develop a nursing or congregate care facility with an exception to Section 82-302(1), Compatibility buffer, of the Code of Ordinances. The property is generally located south of Windsor Drive and west of Long Prairie Road. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its February 9, 2015, meeting.)*

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- Detailed location/aerial view
- Map of assisted living/memory care facilities along FM 2499 in Flower Mound
- Land use and zoning
- Photographs of the site
- Site plan and the exception request
- Concerns that were addressed regarding adjacent property owners

Councilmember Dixon moved to approve a request for a Site Plan (SP14-0032 – Avanti Assisted Living) to develop a nursing or congregate care facility with an exception to Section 82-302(1), Compatibility buffer, of the Code of Ordinances. Councilmember Wise seconded the motion.

VOTE ON THE MOTION

AYES: Webb, Walker, Levenick, Dixon, Wise

NAYS: None

K. BOARDS/COMMISSIONS (Executive Conference Room)

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

Ms. Scott indicated there is vacancy and a need to fill the development representative position for the SMARTGrowth Commission.

There was Council direction to initiate a call for applications through the usual process.

L./M. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 8:52 p.m. on February 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 9:38 p.m. on February 16, 2015, to take action on the items as follows:

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

Councilmember Webb moved to appoint Nels Pearson to the Planning and Zoning Commission, Place 6, effective immediately, and ending on September 30, 2016, and with the understanding that this position also serves on the Capital Improvement Advisory Committee and the SMARTGrowth Commission.

VOTE ON THE MOTION

AYES: Webb, Walker, Levenick, Dixon, Wise

NAYS: None

- b. 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.

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- c. 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.

- d. Consultation with Attorney as follows:

1. State Farm Mutual Automobile Insurance Company, as subrogee of Sandra Terrell v. Town of Flower Mound
2. Lanette Williams a/n/f A.W., a Minor Child vs. Town of Flower Mound
3. 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.

M. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 9:39 p.m. on Monday, February 16, 2015, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

THOMAS E. HAYDEN, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY