

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 16TH DAY OF MAY, 2016, 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
Itamar Gelbman	Deputy Mayor Pro Tem
Mark Wise	Councilmember Place 1
Bryan Webb	Councilmember Place 2
Kevin Bryant	Councilmember Place 3

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

Theresa Scott	Town Secretary
Jimmy Stathatos	Town Manager
Bryn Meredith	Town Attorney
Ken Parr	Director of Public Works
Doug Powell	Executive Director of Development Services
Gary Sims	Executive Director of Community Services
Eric Greaser	Fire Chief
Andy Kancel	Police Chief
Shelly Putnam	Customer Relations Manager
Doug Stevens	Assistant Director of Public Works
Tommy Dalton	Director of Strategic Planning

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

Chaplain Russ McNamer gave the invocation and Mayor Hayden led the pledges.

D. PRESENTATIONS

1. National Public Works Week Proclamation.

Doug Stevens, Director of Public Works, accepted the Proclamation.

E. PUBLIC PARTICIPATION

All addresses are located in Flower Mound unless otherwise indicated.

- | Name and Address | Subject |
|----------------------------------|-------------------------------|
| 1. Kathy O'Keefe, 3004 Oxford Ct | Winning the Fight - Mini Golf |
| 2. Paul Stone, 709 Lake Bluff Dr | Congrats |

F. ANNOUNCEMENTS

1. Announce recent and upcoming civic and social events

Deputy Mayor Pro Tem Gelbman offered his congratulations to the newly elected officials.

2. Veteran's Liaison, Doug Brown, to announce the Memorial Day event, "A Day to Remember"

Mr. Brown announced two upcoming Memorial Day events.

3. National Police Week recognition

Councilmember Bryant announced that May 15th – 21st is National Police Week and expressed his appreciation for the Town's police personnel.

4. National Emergency Medical Services Week recognition

Deputy Mayor Pro Tem Dixon announced that May 15th – 21st is Emergency Medical Services Week and expressed his appreciation for the Town's emergency service personnel.

G. TOWN MANAGER'S REPORT

1. Update and status report related to capital improvement projects.
2. Update and discussion on Economic Development projects.

Mr. Stathatos did not have any items to report.

H. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on May 2, 2016.

RECOMMENDATION: Move to approve the minutes from a regular meeting of the Town Council held on May 2, 2016.

2. Consider approval of a candidate nomination for appointment to the Denco Area 9-1-1 District Board of Managers.

RECOMMENDATION: The Town of Flower Mound hereby nominates Brandon Barth, Emergency Management Officer, as a candidate for election to the Board of Managers of the Denco Area 9-1-1- District.

RESOLUTION NO. 11-16

A RESOLUTION NOMINATING ONE CANDIDATE TO A SLATE OF NOMINEES FOR THE BOARD OF MANAGERS OF THE DENCO AREA 9-1-1 DISTRICT.

3. Consider approval of the sale and consumption of alcoholic beverages (beer and wine) at the Heritage Park of Flower Mound during the Flower Mound Rotary's Neon Run and Festival. *(The Parks, Arts and Library Services (PALS) Board recommended approval by a vote of 4 to 0 at its April 7, 2016, meeting.)*

RECOMMENDATION: Move to approve the sale and consumption of alcoholic beverages (beer and wine) at the Heritage Park of Flower Mound during the Flower Mound Rotary's Neon Run and Festival.

4. Consider approval of Change Order No. 1, for a decrease in the amount of \$80,797.15, the final acceptance of the FM 2499 at Lakeside Parkway Improvements project, and authorization of final payment to the contractor, 3-D Paving and Contracting, LLC, in the amount of \$32,604.93; and authorization for the Mayor to execute on behalf of the Town.

RECOMMENDATION: Move to approve Change Order No. 1, for a decrease in the amount of \$80,797.15, the final acceptance of the FM 2499 at Lakeside Intersection Improvements project, and authorize final payment to the contractor, 3-D Paving and Contracting, LLC., in the amount of \$32,604.93; and authorize the Mayor to execute on behalf of the Town.

5. Consider approval of the award of Bid No. 2016-51, to Roadway Solutions Inc., for the construction of the FM 1171 at Kirkpatrick – Reconstruction and FM 1171 at Timber Creek – Reconstruction signal projects, in the amount of \$227,778.00; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve the award of Bid No. 2016-51, with Roadway Solutions Inc., for the construction of the FM 1171 at Kirkpatrick – Reconstruction and FM 1171 at Timber Creek – Reconstruction signal projects, in the amount of \$227,778.00; and authorize the Mayor to execute same on behalf of the Town.

6. Consider approval of the award of Request for Proposal Number 2016-41 to Oxley Williams Tharp Architects for architectural design services for Police Department and Central Fire Station Renovations in an estimated amount of \$75,000.

RECOMMENDATION: Move to approve the award of Request for Proposal Number 2016-41 to Oxley Williams Tharp Architects for architectural design services for Police Department and Central Fire Station Renovations in an estimated amount of \$75,000; and authorization for the Mayor to execute same on behalf of the Town.

7. Consider approval of the purchase of one new 2017 International 7400 Tandem Dump Truck with snow plow hookups, PTO, controls, and hydraulics to include installing Town of Flower Mound owned snow plow attachment and related from Southwest International Trucks, through the Buy Board cooperative purchasing program, in the total amount of \$117,134.21.

RECOMMENDATION: Move to approve the purchase of one new 2017 International 7400 Tandem Dump Truck with snow plow hookups, PTO, controls, and hydraulics to include installing Town of Flower Mound owned snow plow attachment and related from Southwest International Trucks, through the Buy Board cooperative purchasing program, in the total amount of \$117,134.21; and authorization for the Mayor to execute same on behalf of the Town.

8. Consider approval of an Interlocal Agreement between the Town of Flower Mound and the City of Highland Village to allow for a cooperative purchasing agreement; and authorize the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve an Interlocal Agreement between the Town of Flower Mound and the City of Highland Village to allow for a cooperative purchasing agreement; and authorize the Mayor to execute same on behalf of the Town.

9. Consider approval of a resolution approving parkland design and improvements for the Kierstin Eaddy Memorial.

RECOMMENDATION: Move to approve a resolution approving parkland design and improvements for the Kierstin Eaddy Memorial Park Town.

RESOLUTION NO. 12-16

A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING PUBLIC PARKLAND DESIGN AND IMPROVEMENTS WITHIN THE HIGHLAND COURT DEVELOPMENT GENERALLY LOCATED WEST OF LONG PRAIRIE ROAD AND NORTH AND EAST OF RIPPY ROAD AND AUTHORIZING A CREDIT AGAINST PARK LAND DEDICATION FEES AND PARK LAND DEVELOPMENT FEES IN ACCORDANCE WITH CHAPTER 90 OF THE TOWN CODE AND THE DEVELOPMENT AGREEMENT FOR SAID DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Bryant moved to approve by consent Items 1-9. Councilmember Wise 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:

Motion passed

AYES: GELBMAN, DIXON, BRYANT, WEBB, WISE

NAYS: NONE

I. REGULAR ITEMS

10. Public Hearing to consider adopting on second reading the attached ordinance granting to Allied Waste Services of Fort Worth, LLC dba Republic Services, the right and privilege to operate and maintain the service of solid waste and recycling collection and hauling over, upon, along, and across the present and future streets, alleys, bridges, and public properties of the Town of Flower Mound in order to preserve and protect the public health of the citizens of the Town, rejecting all other proposals received, in accordance with section 11.2 of the Request for Proposals and State law and authorize the Mayor to execute a Franchise Agreement for solid waste and recycling collection services.

STAFF PRESENTATION

Ms. Putnam gave a presentation identifying or noting:

- Current residential services
- Proposed residential services
- Commercial services
- Additional items/services

Ms. Putnam responded to questions from Council as follows:

- Bulk collection services

Councilmember Webb moved to adopt on second reading the attached ordinance granting to Allied Waste Services of Fort Worth, LLC dba Republic Services, the right and privilege to operate and maintain the service of solid waste and recycling collection and hauling over, upon, along, and across the present and future streets, alleys, bridges, and public properties of the Town of Flower Mound in order to preserve and protect the public health of the citizens of the Town, rejecting all other proposals received, in accordance with section 11.2 of the Request for Proposals and State law and authorize the Mayor to execute a Franchise Agreement for solid waste and recycling collection services. Councilmember Bryant seconded the motion.

ORDINANCE NO. 26-16

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, GRANTING A FRANCHISE FOR SOLID WASTE SERVICES TO ALLIED WASTE SERVICES OF FORT WORTH, LLC DBA REPUBLIC SERVICES; AMENDING CHAPTER 70, ARTICLE IV "SOLID WASTE" OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; REPEALING DIVISIONS 1 AND 2 OF ARTICLE V "SOLID WASTE" IN APPENDIX B; 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.

VOTE ON MOTION:

Motion passed

AYES: WISE, WEBB, BRYANT, DIXON, GELBMAN

NAYS: NONE

J./K. RECOGNITION OF, AND ANNOUNCEMENT FROM, OUTGOING MAYOR PRO TEM STEVE DIXON AND OUTGOING COUNCILMEMBER MARK WISE

Outgoing Councilmembers Steve Dixon and Mark Wise offered their comments relative to their experience and time on Council.

L. CANVASS GENERAL/SPECIAL ELECTION AND OATHS OF OFFICE FOR NEWLY ELECTED OFFICIALS

11. Consider approval of an ordinance canvassing and declaring the results of a general election held May 7, 2016, for the purpose of electing the offices of Mayor, Town Council Places 2 and 4; and declaring the result of a Special Election held on such date for the purpose of electing a person to the remaining term of office of Town Council Place 1, of the Town of Flower Mound, Texas and providing an effective date.

- a. Administer Oaths of Office and issue Certificates of Election.

Ms. Scott gave a presentation identifying or noting:

- Unofficial results of the May 7, 2016 Election
- Voter turnout

Ms. Scott administered the Oaths of Office for the newly elected officials and Mayor Hayden issued the Certificates of Election.

Councilmember Wise moved to approve an ordinance canvassing and declaring the results of a general election held May 7, 2016, for the purpose of electing the offices of Mayor, Town Council Places 2 and 4; and declaring the result of a Special Election held on such date for the purpose of electing a person to the remaining term of office of Town Council Place 1, of the Town of Flower Mound, Texas; and providing an effective date. Mayor Pro Tem Dixon seconded the motion.

ORDINANCE NO. 25-16

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF A GENERAL ELECTION HELD MAY 07, 2016, PURPOSE OF ELECTING THE OFFICES OF MAYOR, TOWN COUNCIL PLACES 2, AND 4 OF THE TOWN OF FLOWER MOUND, TEXAS; AND DECLARING THE RESULT OF A SPECIAL ELECTION HELD ON SUCH DATE FOR THE PURPOSE OF ELECTING A PERSON TO THE REMAINING TERM OF OFFICE OF TOWN COUNCIL PLACE 1 AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

AYES: GELBMAN, DIXON, BRYANT, WEBB, WISE

NAYS: NONE

The Town Council recessed at 7:03 p.m. and reconvened at 7:10 p.m. with the following members present:

Tom Hayden	Mayor
Jason Webb	Councilmember Place 1
Bryan Webb	Councilmember Place 2
Kevin Bryant	Councilmember Place 3
Don McDaniel	Councilmember Place 4
Itamar Gelbman	Councilmember Place 5

M. - P. ANNOUNCEMENT FROM NEWLY ELECTED COUNCIL MEMBERS TOM HAYDEN, JASON WEBB, BYRAN WEBB, DON MCDANIEL

Each newly elected official offered comments.

Q./R. CLOSED/OPEN MEETING

Administrative Note: Town Council did not convene into closed session to discuss this item and action was taken in open session.

- a. Discuss and consider election of Mayor Pro Tem.

Councilmember Webb moved to elect Councilmember Kevin Bryant as Mayor Pro Tem. Councilmember McDaniel seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: J WEBB, MCDANIEL, BRYANT, B WEBB, GELBMAN

NAYS: NONE

- b. Discuss and consider election of Deputy Mayor Pro Tem.

Councilmember McDaniel moved to elect Councilmember Bryan Webb as Deputy Mayor Pro Tem. Councilmember Bryant seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: GELBMAN, B WEBB, BRYANT, MCDANIEL, J WEBB

NAYS: NONE

S. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

- a. The next Town Council regular meeting will be held on June 6th

Mayor Hayden announced that the next regular Town Council meeting will be June 6th.

- b. Strategic Planning Session tentatively scheduled for June 16th and to discuss proposed agenda items.

Mr. Dalton provided an outline of 2016 major areas of discussion for the strategic planning session, including potential date options.

There was interest in finding a date in which all members of Council could be there. There was some discussion relative to a location. Mayor Hayden requested that the members of Council provided feedback to Mr. Dalton regarding availability over the course of the next couple months. He also clarified that it would be a late Friday afternoon and potentially the following Saturday.

T. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 7:32 p.m. on May 16, 2016.

TOWN OF FLOWER MOUND, TEXAS

THOMAS E. HAYDEN, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY