

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 17TH DAY OF OCTOBER 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
Kevin Bryant	Mayor Pro Tem
Bryan Webb	Deputy Mayor Pro Tem
Jason Webb	Councilmember Place 1
Don McDaniel	Councilmember Place 4
Itamar Gelbman	Councilmember Place 5

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

Theresa Scott	Town Secretary
Bryn Meredith	Town Attorney
Jimmy Stathatos	Town Manager
Tommy Dalton	Assistant Town Manager
Doug Powell	Executive Director of Development Services
Ken Parr	Executive Director of Public Works
Mark Wood	Director of Economic Development
Matt Woods	Director of Environmental Services
Sue Ridnour	Director of Library Services

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

Chaplain Mike Liles gave the invocation and Mayor Hayden led the pledges.

D. PRESENTATIONS

1. Proclamation for "Hand to Paw Month" to be presented to Girl Scout Troop 4778

Girl Scouts from Troop 4778 accepted the proclamation and provided an announcement about the "Hand to Paw Month" campaign.

2. 2016 Arbor Day proclamation.

Matt Woods, Director of Environmental Services, accepted the proclamation and provided background information about the Town's Arbor Day program.

3. Proclamation declaring November 2016 as Arts Month in Flower Mound.

Sue Ridnour, Director of Library Services, and Cultural Arts Board members accepted the proclamation.

4. Presentation of donation by Friends of the Flower Mound Public Library.

Ann Martin, representing the Friends of the Library, presented a check in the amount of \$35,000 to the Town for use by the Library.

5. Veterans' Liaison report by Doug Brown.

Mr. Brown provided a report on various upcoming Veterans related events.

6. LISD Liaison report by Joanna Crowell Dreiling.

Ms. Crowell-Dreiling provided a report on various LISD activities.

7. Economic Development special recognition.

Mr. Stathatos and Mayor Pro Tem Bryant presented Mark Wood, Director of Economic Development, with a name blade street sign in recognition of his 10+ years of service to the Town and extended him well wishes as he pursues a career in another city.

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.

	Speaker names and address	Subject (as written on the form)
1.	Curtis Shore, 3317 Northwood Dr	Thank you – police & fire depts.

F. ANNOUNCEMENTS

Councilmember Gelbman reported on the Fallen Officers Bike Race and 5K in Highland Village.

Deputy Mayor Pro Tem Bryan Webb announced dates and polling locations for the upcoming November 8th election. He also offered a reminder that there are Charter amendments on the ballot. Mr. Meredith responded to his question regarding the legalities associated with free speech given the onset of some yard signs that had language that might be considered profane. Deputy Mayor Pro Tem Bryan Webb noted that while this is considered protected speech he encouraged everyone to exercise good taste and to be neighborly, recognizing that families and children ride their bikes on the street and such language might not be appropriate in that setting.

G. TOWN MANAGER'S REPORT

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

Mr. Stathatos gave a report on the following CIP projects:

- the signals at Timber Creek Rd and Kirkpatrick have been upgraded
- Forest Vista road project update and the cause for the delay
- Pintail pump station and capacity upgrade

2. Update and discussion on Economic Development projects.

Mr. Stathatos gave a report on the following economic development projects:

- Lakeside Business District - new E-commerce company called *Boxed* soon to open
- Lakeside DFW - new Italian restaurant called Mio Nonno soon to open

3. Update and discussion on new town hall and library expansion.

Mr. Stathatos gave a report on the new Town Hall and Library expansion projects noting:

- the space study is being fine-tuned for Town Hall
- there will be a Library item to go before the TIRZ Board early Spring of next year

H. FUTURE AGENDA ITEMS

Mayor Pro Tem Bryant expressed interest in having a future agenda item at the next meeting for the purpose of providing a presentation related to the high school scores, which would include LISD Superintendent Kevin Rogers, LISD Board member Angie Cox, as well as the Town's LISD Liaison represented.

There was Council consensus to proceed in having the presentation at a future Council meeting.

I. COORDINATION OF CALENDARS

1. Mayor Hayden announced that the next Town Council meeting is a joint work session with the Planning & Zoning Commission on October 20th and that the next regular Town Council meeting is November 7th.

J. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on October 3, 2016.

RECOMMENDATION: Move to approve the minutes from a regular meeting of the Town Council held on October 3, 2016.

2. Consider approval of the purchase of new traffic signal detection equipment for the Traffic Detection Rehabilitation project, from Twincrest Technologies, through the TxSmartBuy program, in the amount of \$124,988.00.

RECOMMENDATION: Move to approve the purchase of new traffic signal detection equipment for the Traffic Detection Rehabilitation project, from Twincrest Technologies, through the TxSmartBuy program, in the amount of \$124,988.00.

3. Consider approval of Change Order No. 2 for the Forest Vista Drive Reconstruction project, amending the contract with Tiseo Paving Company, for an increase to the contract amount of \$69,595.70; and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Move to approve Change Order No. 2 for the Forest Vista Drive Reconstruction project, amending the contract with Tiseo Paving Company, for an increase to the contract amount of \$69,595.70; and authorization for the Mayor to execute same on behalf of the Town.

4. Consider approval of the purchase of materials and services identified in RFP No. TCPN-SWIII-10-5314 by Brown & Root Industrial Services, LLC., associated with rehabilitating Final Clarifier No. 2, of the Wastewater Treatment Plant Final Clarification Rehabilitation project, in the amount of \$308,498.00.

RECOMMENDATION: Move to approve the purchase of materials and services identified in RFP No. TCPN-SWIII-10-5314 by Brown & Root Industrial Services, LLC., associated with rehabilitating Final Clarifier No. 2, of the Wastewater Treatment Plant Final Clarification Rehabilitation project, in the amount of \$308,498.00.

5. Consider approval of the purchase of desktop and laptop computers, ruggedized laptop computers, CAD workstations computers and peripherals from Blueline Services, in the amount of \$162,735.79.

RECOMMENDATION: Move to approve the purchase of desktop and laptop computers, ruggedized laptop computers, CAD workstations computers and peripherals from Blueline Services, in the amount of \$162,735.79.

6. Consider approval to purchase a Telecommunications System, for the Town Hall project, in the amount of \$273,014.80.

RECOMMENDATION: Move to approve purchase a Telecommunications System, for the Town Hall project, in the amount of \$273,014.80.

Mayor Pro Tem Bryant moved to approve by consent Items 1 – 6. Deputy Mayor Pro Tem Bryan 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:

Motion passed

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

NAYS: NONE

At 6:39 p.m. Mayor Hayden announced that the Town Council is convening into closed session pursuant to Texas Government Code Chapter 551.071 for consultation with the town attorney. The Town Council reconvened into an open meeting at 6:45 p.m.

K. REGULAR ITEMS

Mayor Hayden opened Items 7 and 9 at the same time.

7. Public Hearing to consider a request for a Master Plan Amendment (MPA16-0005 – Smith Tract) to amend Section 5.0, Parks and Trails Plan, by amending Figure 5.4, Trails Master Plan, to remove the Paved Multi-Use Trail, Equestrian Trail, Equestrian Trail Head, and Complete Streets-Bike Lanes within and adjacent to the Smith Tract, and to consider adopting an ordinance providing for said amendment. The property is generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road. *(The Parks, Arts, and Library Services Board recommended denial by a vote of 4 to 0 at its September 1, 2016, meeting.) (The Planning and Zoning Commission recommended denial by a vote of 6 to 0 at its October 10, 2016, meeting.) (The request related to the Paved Multi-Use Trail and Complete Streets-Bike Lanes has been withdrawn and is not under consideration by the Town Council.)*
8. The applicant requested that MPA 16-0006 be withdrawn and for that reason this item was not heard by Town Council therefore no action was taken.
9. Public Hearing to consider a request for a Master Plan Amendment (MPA16-0007 – Smith Tract) to amend Section 9.0, Wastewater Plan, to add the Smith Tract to the Wastewater Service Area depicted in Figure 1A, and to consider adopting an ordinance providing for said amendment. The property is generally bounded by Cross Timbers Road, Scenic Road, Cardinal Road, Rocky Point Road, and Shiloh Road. *(The Planning and Zoning Commission recommended denial by a vote of 6 to 0 at its October 10, 2016, meeting.)*

Staff Presentation

Mr. Powell gave a presentation for items 7 and 9 identifying or noting:

- an explanation as to the withdrawal of item 8 and how the public was notified of such with a statement at the end of that item on the agenda
- overall location
- detailed location
- land use and zoning
- there is no development application that came with the master plan amendment request
- photos of the site, including the area for the gas line
- parks and trails map and bike lanes and equestrian trail
- wastewater service area and the request to add the Smith tract

Mr. Powell responded to questions from Council regarding:

- when a development comes forward is staff discussing adjustments and alignments for things such as trails discussed initially with the applicant
- clarification that the MPA 16-0005 is just to remove the equestrian trail and trailheads

Applicant Presentation

Art Anderson, 2728 North Harwood, Dallas, Attorney representing the applicant.

Mr. Anderson gave a presentation identifying or noting:

- clarification relative to the withdrawal and how they are only addressing the equestrian trail
- summary of the request
- development restrictions for the Smith property
- pre-development meeting history
- parks and trails plan – history and MPA16-0005
- wastewater plan
- wastewater service area exhibit
- the adverse impact the equestrian trail presents

Mr. Anderson responded to questions from Council as follows:

- how long has the Smith family owned the property
- why the applicant needs the flexibility with the MPA request
- are there any other encumbrances that would fall outside of the Town’s purview, and if so had there been any considerations to reduce those instead of asking the Town to change their ordinances, such as with the gas wells and if they had been approached
- if there is any additional information that can be provided relative to any future plans
- what are the options being considered in the situations of a pass or fail

Mayor Hayden opened the Public Hearing at 7:11 p.m. for items 7 and 9

The following individuals either spoke in support or opposition, or had questions / comments related to the item: *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 or Questions	Item(s)	Opposition: Comments/Questions	Item(s)	Question(s)/ Comments Only
		Stephen Smith, 3705 Sarah Springs	7	
		Russell Milburn, 3036 Hugo Ct	7, 8, 9	
		Cynthia Spilberg, 5204 Bayberry St	7, 8, 9	
		Carl Thunem, 4016 Raintree Dr	9	
		Scott Jostes, 3705 Ridgecrest Dr	7, 8, 9	
		Sharon Gentry, 2750 Bob White Ln*	7, 8, 9	
		Janvier Scott, 2829 Bob White	7 & 9	
		Jon Howes, 7401 Bolo Ln	9	

		Shannon Barkett, 7500 Bolo Ln	?? (just said K on form)	
		Caroline Finley, 2600 Bourne Ln	7, 8, 9	
		Marc Finley, 2600 Bourne Ln	7, 8, 9	
		Ann Marie Larsen, 3474 Shiloh Rd*	7, 8, 9	
		Ed Carty, Bob Bolo Ln	7, 8, 9	
		Jan Carty, 7300 Bolo Ln*	7, 8, 9	
		Babrielle Springer, 6609 Orchard Dr	7, 9	
		Susan Bodenmiller, 7007 Woodridge	7, 9	
		Christopher Binovi, 6509 Cardinal Dr	9	
		Paul Stone, 709 Lake Bluff Dr	7, 8, 9	
		Katie Lowe, 3113 Springwood Dr*	7, 9	
		Marsha Gavitt, 6501 Meadowcrest Ln	7, 8, 9	
		Father William Blewett, 6512 Country Oaks Dr*	7, 8, 9	
		Kris Thompson, 1501 Holly Oak	7, 9	
		Gerald Robinson, 6920 Hidden Valley Rd	7, 8, 9	
		John Fambrough, 4105 Spring Meadow*	7, 9	
		Sandy Fambrough, 4105 Spring Meadow	7, 9	
		Alexei Nechiporenko, 3514 Raintree	7, 9	
		Natasha Nechiporenko, 3514 Raintree	7, 9	
		John Todd, 5600 Wichita Trail	7, 9	
		Warren Campbell, 6000 Wichita Trl	7, 9	
		Greg Santsche, 6405 Meadowcrest Ln	7, 8, 9	

*Speaker card submitted; however indicated does not wish to speak.

Mayor Hayden closed the Public Hearing at 7:57 p.m.

Council Discussion

There was Council discussion regarding:

- how asking for the request without a plan raises suspicion because it causes the belief that someone is not being fully transparent
- more flexibility sounds like higher density

- preserving scenic view corridors and the process
- other property owners have equestrian trails in the plan and they are adapting
- without a plan there is no benefit analysis in which staff or Council can assess to determine if an amendment is warranted
- past history association with master plan amendments that have been made
- the Master Plan as it exists today constitutes the Town's policy
- how there is no compelling reason at this time to make a change to the master plan
- how sewer is a waste disposal tool and not a land use tool
- the baseline is one house to 1.6 acres for the Cross Timbers Conservation District and if someone wants to bring in a plan that includes septic, there is also the expectation to see a plan that protects scenic corridors, resulting in an aesthetically beneficial product in the community
- flexibility in the Master Plan exist; however, there must be a plan

Item 7 - MPA16-0005 – Smith Tract

Councilmember McDaniel moved to deny a request for a Master Plan Amendment (MPA16-0005 – Smith Tract) to amend Section 5.0, Parks and Trails Plan, by amending Figure 5.4, Trails Master Plan, to remove the Equestrian Trail and Equestrian Trail Head within and adjacent to the Smith Tract, and adopt an ordinance providing for said amendment. Councilmember Jason Webb seconded the motion.

VOTE ON MOTION:

Motion passed

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

NAYS: NONE

Item 9 – MPA16-0007 – Smith Tract

Councilmember McDaniel moved to deny a request for a Master Plan Amendment (MPA16-0007 – Smith Tract) to amend Section 9.0, Wastewater Plan, to add the Smith Tract to the Wastewater Service Area depicted in Figure 1A, and adopt an ordinance providing for said amendment. Councilmember Jason Webb seconded the motion.

VOTE ON MOTION:

Motion passed

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

NAYS: NONE

10. Public Hearing to consider a request for a Master Plan Amendment (MPA16-0010 – Urban Design Façade Materials) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add stucco as a primary masonry option under Façade Materials, 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 October 10, 2016, meeting.)*

Mayor Hayden opened items 10 and 11 at the same time.

Staff Presentation

Mr. Powell gave a presentation for item 10 identifying or noting:

- Background information
- Photos of buildings that appear to be stucco but are not
- Tilt wall versus stucco from an appearance perspective
- Architectural standards
- IBC Code reference
- Feedback from the Planning & Zoning Commission
- Not many comments have been received to date

Mr. Powell responded to questions from Council as follows:

- 80% versus 100% use of stucco as an option
- Clarification relative to the waiver process
- Clarification that if approved it would be just for commercial buildings
- Are there are other materials that include limit restrictions
- Why was stucco originally excluded as a primary material
- How frequently does it come up where builders want to use stucco and they are not allowed
- The cost of stucco versus other materials
- Whether or not a PD can be superseded to allow stucco

Council Discussion

There was Council discussion as follows:

- Tilt wall concrete versus stone
- Tilt wall concrete is cost prohibitive for smaller buildings
- Whether or not there should be limitations on the amount of stucco allowed (i.e. 80% versus 100%); recognizing the 80% rule limitation might allow for additional architectural elements that would enhance the look and feel of the building

Mayor Pro Tem Bryant opened the Public Hearing at 8:21 p.m. No one spoke in support or opposition. Mayor Pro Tem Bryant closed the Public Hearing at 8:21 p.m.

Motion 1:

Deputy Mayor Pro Tem Bryan Webb moved to approve a request for a Master Plan Amendment (MPA16-0010 – Urban Design Façade Materials) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add stucco as a primary masonry option under Façade Materials, and adopt an ordinance providing for said amendment. Councilmember McDaniel seconded the motion.

VOTE ON MOTION:

*Motion failed –
supermajority requirement for MPAs*

AYES: B. WEBB, BRYANT, MCDANIEL

NAYS: GELBMAN, J. WEBB

Motion 2

Deputy Mayor Pro Tem Bryan Webb moved to approve a request for a Master Plan Amendment (MPA16-0010 – Urban Design Façade Materials) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add stucco as a primary masonry option under Façade Materials, providing that stucco does not exceed 80% on any one facade with the remaining 20% being a primary material, and adopt an ordinance providing for said amendment. Councilmember McDaniel seconded the motion.

ORDINANCE NO. 57-16

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 4.0, URBAN DESIGN PLAN, OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, TO MODIFY THE ARCHITECTURAL STANDARDS BY ADDING STUCCO AS A PRIMARY MASONRY OPTION UNDER 5.0 FAÇADE MATERIALS; 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.

VOTE ON MOTION:

Motion passed

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

NAYS: GELBMAN

11. Public Hearing to consider a request for a Master Plan Amendment (MPA16-0011 – Urban Design Architectural Standards) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add a new subparagraph 1.3 stating that buildings certified as Leadership in Energy and Environmental Design (LEED) Gold or better can request waivers to the Architectural Standards, 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 October 10, 2016, meeting.)*

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- Definition of Leadership in Energy and Environmental Design (LEED)
- Architectural standards and design review for past projects that were evaluated under suitability of meritorious design
- Clarification on the proposed new standard (1.3) that would allow Council to provide waivers or exceptions for LEED certification projects

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

- What are the mechanics associated with the review process given they are not LEED certified at the time of plan submittal

- Legalities associated with the developer following through with a LEEDS project given they were offered some considerations initially
- Is there such a thing as a temporary Certificate of Occupancy (CO)
- Could a temporary CO be provided to a business with the understanding that LEEDS certification be achieved at a certain period of time, followed by a regular CO

Mayor Hayden opened the Public Hearing at 9:03 p.m. No one spoke in support or opposition. Mayor Hayden closed the public hearing at 9:03 p.m.

Council Discussion

There was Council discussion related to:

- Appreciation for the fact that there is a Council review process
- Things that can be considered at the time of the request, such as company history, past projects, etc.
- How this is an opportunity for government to get out of the way to get something good that will be sustainable for the future

Mayor Pro Tem Bryant moved to approve a request for a Master Plan Amendment (MPA16-0011 – Urban Design Architectural Standards) to amend Section 4, Urban Design Plan, by modifying the Architectural Standards to add a new subparagraph 1.3 stating that buildings certified as Leadership in Energy and Environmental Design (LEED) Gold or better can request waivers to the Architectural Standards, and adopt an ordinance providing for said amendment. Councilmember McDaniel seconded the motion.

ORDINANCE NO. 55-16

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 4.0, URBAN DESIGN PLAN, OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, TO MODIFY THE ARCHITECTURAL STANDARDS BY ADDING A NEW SUBPARAGRAPH 1.3 ENABLING THE TOWN TO EVALUATE THE SUITABILITY OF BUILDINGS CERTIFIED AS LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) GOLD OR BETTER THAT MIGHT NOT COMPLY EXACTLY WITH THE ARCHITECTURAL STANDARDS; 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.

VOTE ON MOTION:

Motion passed

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

NAYS: GELBMAN

12. Public Hearing to consider a request to amend the Land Development Regulations (LDR16-0003 – Prohibited Signs Amendment) by deleting subparagraph (12) of Section 86-4, entitled “Prohibited signs,” of the Town’s Code of Ordinances to remove the prohibition on the use of exposed neon, and to consider adopting an ordinance providing for said amendment. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its October 10, 2016, meeting.)*

Staff Presentation

Mr. Powell gave a presentation identifying or noting:

- Photograph of sign at Lakeside that initiated the discussion
- Photograph of sign at Jakes that needed to be retrofitted to put up LED
- Photograph of Chili's sign
- Photograph of Floyds
- Summary of discussion at P & Z
- Sign regulations (Sec. 86-4)

Mr. Powell responded to questions from Council as follows:

- Could someone come back now and do a sign like Lakeside, Chili's, or Floyds
- How can Council control things such as the brightness or strength of the light for signs rather than the instrument that causes the light (i.e. neon or LED)

Mayor Hayden opened the Public Hearing at 9:09 p.m. No one spoke in support or opposition. Mayor Hayden closed the Public Hearing at 9:09 p.m.

Council Discussion

There was Council discussion as follows:

- How Lakeside asked for neon and Council said no because it wasn't allowed
- Examples of how the prohibition of neon as a light source impacts the aesthetics of a building
- How the Jake's sign looked better when it was neon than LED
- How LED is brighter than neon
- The change could be considered clean up as it will allow for a more consistent product and result
- Clarification that it is using the term unshielded instead of exposed

Councilmember McDaniel moved to approve a request to amend the Land Development Regulations (LDR16-0003 – Prohibited Signs Amendment) by amending subparagraph (12) of Section 86-4, entitled "Prohibited signs," of the Town's Code of Ordinances to amend the prohibition to the use of unshielded neon, and adopt an ordinance providing for said amendment. Deputy Mayor Pro Tem Brian Webb seconded the motion.

ORDINANCE NO. 56-16

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 86, SIGNS, OF THE CODE OF ORDINANCES BY AMENDING SECTION 86-4, "PROHIBITED SIGNS," AMENDING SUBPARAGRAPH (12) RELATED TO THE PROHIBITION ON THE USE OF UNSHIELDED NEON; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

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

NAYS: GELBMAN

L. 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.

No action taken.

Discuss and consider a procedure change to allow applications for the Outstanding Citizenship Award to be considered for one year following submittal.

There was Council consensus to allow consideration of applicants for one calendar year following the initial submittal date effective 2016, and to include a review process that would insure the applicants remain in good standing.

M./N. CLOSED/OPEN MEETING

The Town Council did not convene into a closed meeting on October 17, 2016, therefore no action was taken on the following items:

- a. Discuss and consider resignations, appointments, evaluations, reassignments, discipline, or dismissals for the following boards or commissions: Board of Adjustment/Oil & Gas Board of Appeals, Community Development Corporation, and Planning and Zoning Commission..
- b. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.
- c. Discuss and consider purchase, exchange, lease or value of real property for parks, public rights of way, public safety site, and/or other municipal purposes and all matters incident and related thereto.

O. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 9:17 p.m. on Monday, October 17, 2016, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

THOMAS E. HAYDEN, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY