

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 4TH DAY OF JUNE, 2012, 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
Kendra Stephenson	Mayor Pro Tem
Mark Wise	Deputy Mayor Pro Tem
Bryan Webb	Councilmember Place 2
Jean Levenick	Councilmember Place 5

constituting a quorum with the following members absent:
Steve Dixon

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

Chuck Springer	Assistant Town Manager/CFO
Theresa Scott	Town Secretary
Terrence Welch	Town Attorney
Gary Sims	Executive Director of Community Services
Doug Powell	Director of Development Services

A. CALL BRIEFING SESSION TO ORDER

Mayor Hayden called the briefing session to order at 6:02 p.m.

B. BRIEFING SESSION

1. Town Council Boards and Commissions Subcommittee Reports

Mayor Pro Tem Stephenson provided a report from the Animal Services Board meeting of May 22nd.

2. Discuss Consent and Regular Items

No discussion.

3. Request Future Agenda Items

Mayor Pro Tem Stephenson noted the Town has the ability to request the maintenance reports of the drillers in Flower Mound. Given such, she would like to have a future item on the Agenda to discuss the possibility of requesting those drilling reports at least on a quarterly basis. She noted this would ensure maintenance levels are not decreasing from one operator to the next. Furthermore, she expressed interest in having a discussion with regard to the oil and gas inspection report currently being done by the Town's inspector, and if there is a need to post those reports to the Town's web site. She commented in this way the residents would know that this is occurring.

C./D. ADJOURN BRIEFING SESSION AND CALL REGULAR MEETING TO ORDER

Mayor Hayden adjourned the briefing session and called the regular meeting to order at 6:05 p.m.

E. INVOCATION

Denton County Commissioner Bobbie J. Mitchell gave the invocation.

F. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG

Denton County Commissioner Mitchell led the pledges.

G. ADMINISTER OATH OF OFFICE TO JEAN LEVENICK

Commissioner Andy Eads administered the Oath of Office to Ms. Levenick.

H. PUBLIC PARTICIPATION

Virginia Simonson, 3104 Native Oak Dr, Flower Mound, TX

Ms. Simonson expressed some concern regarding the recent appointment of Jean Levenick to Place 5.

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

Mr. Stone offered congratulations to the new Councilmembers.

Michele Diaz, 1221 Flower Mound Rd, Flower Mound, TX

Ms. Diaz spoke on behalf of the Flower Mound Chamber of Commerce. She welcomed new councilmembers and announced various upcoming Chamber events.

Donna Toth, 2020 Skelton St, Flower Mound TX

Ms. Toth offered congratulations to the new councilmembers.

Phil Vanguilder, 3800 Sunyview Ln, Flower Mound, TX

Mr. Vanguilder offered congratulations to the new Councilmembers.

Bill Collins, 2413 Birchwood Dr, Flower Mound, TX

Mr. Collins welcomed Ms. Levenick and asked for the residents to be supportive of the Town Council and encouraged a cohesive direction.

I. ANNOUNCEMENTS

1. Announce recent and upcoming civic and social events.

Deputy Mayor Pro Tem Wise announced various events associated with the Town's upcoming Independence Fest.

Councilmember Webb welcomed Ms. Levenick to Council.

Mayor Hayden announced that he would like to schedule a meeting with the Lewisville Independent School District (LISD) for the purpose of discussing collaborative efforts with the Town and LISD's facilities, specifically in relation to athletic field uses. In addition, he expressed interest in having a homecoming parade for the students of Marcus and Flower Mound high schools. Furthermore, he indicated being in favor of having a discussion about drug enforcement within the schools.

Mayor Hayden offered congratulations to Ms. Levenick for joining Council. He provided a summary of what led to Council's decision for her appointment.

2. Announcement from newly appointed Place 5, Councilmember Jean Levenick.

Ms. Levenick provided remarks related to her appointment to Place 5.

J. TOWN MANAGER'S REPORT

1. Update and status report related to capital improvement projects

Mr. Springer, in the absence of Mr. Jefferson, offered the Town Manager Report.

Wichita Trail and West Windsor Drive

Mr. Springer provided an update on Wichita Trail and West Windsor Drive.

Councilmember Levenick inquired about detour options for Wichita Trail. She noted her inquiry stems from a concern in relation to drivers speeding through subdivisions while cutting through the neighborhoods as a result of the detour.

Mr. Springer indicated he is not aware of the exact detour route.

Deputy Mayor Pro Tem Wise asked for clarification with regard to the renaming of West Windsor Road.

Mr. Springer noted a proposal with name options will be forthcoming to Council.

FM 2499

Mayor Pro Tem Stephenson asked for an update on FM 2499, and more specifically with regard to the plantings. She noted there is a concern in the area to the North of Gerault Rd & FM 2499 in which erosion is occurring on berms on each side of FM 2499, as well as within the medians. She noted water drainage from the sprinklers into the road is also a traffic concern. She inquired as to if the Town had signed off on that project.

Mr. Springer noted he will follow up with an answer to that question.

2. Discuss Council Communications

a. CC No. 21-12: Development Survey

Mr. Springer provided background information in relation to the survey and noted it is being distributed for informational purposes in preparation for discussion at the Town Council Strategic Planning Session in July.

b. CC No. 22-12: Annual amendments to the Code of Ordinances

Mr. Springer noted the proposed amendments are related to engineering changes and updates and those items will be presented at the June 18th Town Council meeting.

Mayor Pro Tem Stephenson stated that prior to this item coming before Council she would like to have feedback from developers, as well as the business community, for the purpose of identifying any negative impacts that have the potential of resulting in unintended consequences.

c. CC No. 23-12: Executive Summary of the Environmental Conservation Commission's (ECC) draft sustainability plan

Mr. Springer noted staff received feedback from some Council members being in favor of having a joint meeting with ECC to discuss the sustainability plan. The ECC will be seeking direction to understand how they should proceed in this area. Mr. Springer further inquired if Council had a preference as to when they would like this meeting to occur.

Mayor Hayden noted that meeting would be in July. He added that going forward there will be joint meetings with the various boards and commissions throughout the year so they have an opportunity to visit with Council and talk about issues they might have.

Mr. Springer confirmed it was Council's preference, if the ECC was also available, to have the joint meeting during the July 19th Work Session.

Mayor Hayden indicated being in favor of having a comprehensive Master Plan update since this has not been done since 2006. He tasked Council with identifying an individual they would recommend to serve on this committee.

Mayor Hayden noted being in favor of having a group of residents, as well as commercial realtors, come together in the next month or so to review both the development ordinances and the permitting process for both commercial and residential development to ensure it's what is in place is what's desired by the community. He sought input from Council regarding the composition of this group. He asked Council to give it some consideration to provide him input on that item later.

K. CONSENT ITEMS

Councilmember Wise moved to approve by consent Items 1 - 7. Councilmember Webb seconded the motion. Each item, as approved by consent, is restated below along with the approved recommendation, and if applicable, the Ordinance or Resolution caption for each, for the record.

1. **Consider supporting the appointment of Flower Mound Councilmember Steve Dixon as the region's primary member and The Colony's Councilmember Perry Schrag as the region's alternate member to the North Central Texas Council of Governments Regional Transportation Council**

RECOMMENDATION: Move to approve a resolution appointing Flower Mound Councilmember Steve Dixon as the region's primary member and support The Colony's Councilmember Perry Schrag as the region's alternate member to the North Central Texas Council of Governments Regional Transportation Council.

RESOLUTION NO. 04-12

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, APPOINTING A PRIMARY MEMBER AND AN ALTERNATE MEMBER TO THE REGIONAL TRANSPORTATION COUNCIL.

2. **Consider approval of art work to be displayed at the Flower Mound Independence Fest Art Exhibit on July 4, 2012. (*The Public Arts Committee recommended approval by a vote of 2 to 0 at its May 18, 2012, meeting.*)**

RECOMMENDATION: Move to approve art work to be displayed at the Flower Mound Independence Fest Art Exhibit on July 4, 2012.

3. **Consider approval of a Professional Services Agreement with Kleinfelder Central Inc., to provide geotechnical and material testing services associated with the construction of the Timber Creek Road Reconstruction Phase I project, in the amount of \$33,312.00; and authorization for the Mayor to execute same on behalf of the Town.**

RECOMMENDATION: Move to approve a Professional Services Agreement with Kleinfelder Central, Inc., to provide geotechnical and material testing services associated with the construction of the Timber Creek Road Reconstruction Phase I project, in the amount of \$33,312.00; and authorize the Mayor to execute same on behalf of the Town.

4. **Consider approval of an amended interlocal agreement with the Town of Copper Canyon relative to the provision of sewer/wastewater treatment and disposal services to the proposed Town Center area of Copper Canyon, located in Copper Canyon's corporate limits along FM 407 generally between Jernigan Road and Copper Canyon Road; and authorization for the Mayor to execute same on behalf of the Town.**

RECOMMENDATION: Move to approve an amended interlocal agreement with the Town of Copper Canyon relative to the provision of sewer/wastewater treatment and disposal services to the proposed Town Center area of Copper Canyon, located in Copper Canyon's corporate limits along FM 407 generally between Jernigan Road and Copper Canyon Road; and authorize the Mayor to execute same on behalf of the Town.

5. **Consider approval of a resolution of the Town of Flower Mound, Texas, denying Atmos Energy Corp., Mid-Tex Division's requested rate change; and authorization for the mayor to execute same on behalf of the Town.**

RECOMMENDATION: Move to approve a resolution of the Town of Flower Mound, Texas, denying Atmos Energy Corp., Mid-Tex Division's requested rate change; and authorize the mayor to execute same on behalf of the Town.

RESOLUTION NO. 05-12

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS DENYING ATMOS ENERGY CORP., MID-TEX DIVISION'S REQUESTED RATE CHANGE; REQUIRING THE COMPANY TO REIMBURSE THE TOWN'S REASONABLE RATEMAKING EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS ADOPTED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND ATMOS CITIES STEERING COMMITTEE'S LEGAL COUNSEL.

6. **Consider approval of the lease of thirteen copiers from Xerox Corporation, for an estimated annual expenditure of \$28,450, through the Texas Procurement and Support Services Cooperative Purchasing Program.**

RECOMMENDATION: Move to approve the lease of thirteen copiers from Xerox Corporation, for an estimated annual expenditure of \$28,450, through the Texas Procurement and Support Services Cooperative Purchasing Program.

7. **Consider recommending Mark Wood, Director of Economic Development to serve on the Flower Mound Chamber of Commerce board of directors as an ex-officio member representing the Town of Flower Mound.**

RECOMMENDATION: Move to approve the recommendation of Mark Wood, Director of Economic Development, to serve on the Flower Mound Chamber of Commerce board of directors as an ex-officio member representing the Town of Flower Mound.

VOTE ON MOTION

AYES: Wise, Stephenson, Webb, Levenick

ABSENT: Dixon

NAYS: None

L. REGULAR ITEMS

8. *SUP 404-12 – Temple Christian Learning Center* *Public Hearing*

Public Hearing to consider a request for a Specific Use Permit (SUP 404-12 - Temple Christian Learning Center) to permit a day care center, and to consider adopting an ordinance providing for said amendment. The property is generally located east of Long Prairie Road and south of Northshore Boulevard. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its May 14, 2012, meeting.)*

Staff Presentation

Mr. Powell provided a presentation on the project.

Mayor Hayden opened the Public Hearing at 6:45 p.m.

Public Participation

No one spoke in favor or against the project.

Mayor Hayden closed the Public Hearing at 6:45 p.m.

Councilmember Stephenson moved to approve a request for a Specific Use Permit (SUP 404-12 - Temple Christian Learning Center) to permit a day care center and adopt an ordinance providing for said amendment, subject to the following conditions:

- a. The attached site plan, labeled Exhibit "A", an exhibit to the Specific Use Permit, shall be developed as approved, except that certain minor changes outlined in Section 82-37 of the Town's Land Development Regulations may be approved as set forth in that section.

- b. If a Certificate of Occupancy application has not been submitted to the Town's Building Inspections Division for consideration within six months of approval of the ordinance, the Specific Use Permit described herein will be a matter that will be automatically placed upon a subsequent Planning and Zoning Commission agenda for consideration as a Town-initiated zoning change under normal zoning amendment procedures.

Councilmember Wise seconded the motion.

ORDINANCE NO. 17-12

AN ORDINANCE OF THE TOWN COUNCIL 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 LOT 1R, BLOCK A OF THE TEMPLE BAPTIST CHURCH OF FLOWER MOUND ADDITION, FROM PLANNED DEVELOPMENT DISTRICT NO. 60 (PD-60) WITH SINGLE FAMILY DISTRICT-15 (SF-15) AND SINGLE FAMILY DISTRICT-10 (SF-10) USES TO PLANNED DEVELOPMENT DISTRICT NO. 60 (PD-60) WITH SINGLE FAMILY DISTRICT-15 (SF-15) AND SINGLE FAMILY DISTRICT-10 (SF-10) USES, SUBJECT TO SPECIFIC USE PERMIT NO. 404 (SUP-404) TO ALLOW FOR A DAY CARE CENTER, IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Levenick, Webb, Stephenson, Wise

ABSENT: Dixon

NAYS: None

9. SUP/SP 402-12 – Kids R Kids

Public Hearing

Public Hearing to consider a request for a Specific Use Permit (SUP/SP 402-12 - Kids R Kids) to permit a day care center, and to consider adopting an ordinance providing for said amendment. The property is generally located along the northwest quadrant of Flower Mound Road and Morriss Road. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its May 14, 2012, meeting.)*

Staff Presentation

Mr. Powell provided a presentation on the project.

Applicant Presentation

Jim Westbrook, 10700 Abbotts Bridge Rd, Duluth, GA

Mr. Westbrook responded to questions from Council related to:

- Construction start date and duration

Mayor Hayden opened the Public Hearing at 6:50 p.m.

Public Participation

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

Mr. Stone had a question in relation to the common area to the north of the building and stated it was his recollection that there is a requirement in the SPA for a public open area.

Mr. Powell pointed out the open space area within the site.

Mayor Hayden closed the Public Hearing at 6:52 p.m.

Deputy Mayor Pro Tem Wise moved to approve a request for a Specific Use Permit (SUP/SP 402-12 - Kids R Kids) to permit a day care center, and adopt an ordinance providing for said amendment, subject to the following conditions:

- c. The attached site plan, labeled Exhibit "A," an exhibit to the Specific Use Permit, shall be developed as approved, except that certain minor changes outlined in Section 82-37 of the Town's Land Development Regulations may be approved as set forth in that section.
- d. If a building permit application has not been submitted to the Town's Building Inspections Division for consideration of a building permit within one year of approval of the ordinance, the Specific Use Permit described herein will be a matter that will be automatically placed upon a subsequent Planning and Zoning Commission agenda for consideration as a Town-initiated zoning change under normal zoning amendment procedures.

Councilmember Webb seconded the motion.

ORDINANCE NO. 18-12

AN ORDINANCE OF THE TOWN COUNCIL 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 LOT 4R-A, BLOCK 1, OF THE MORRIS COMMONS ADDITION, FROM PLANNED DEVELOPMENT DISTRICT NO. 84 (PD-84) WITH RETAIL DISTRICT-2 (R-2) USES TO PLANNED DEVELOPMENT DISTRICT NO. 84 (PD-84) WITH RETAIL DISTRICT-2 (R-2) USES, SUBJECT TO SPECIFIC USE PERMIT NO. 402 (SUP-402) TO ALLOW FOR A DAY CARE CENTER IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Wise, Stephenson, Webb, Levenick

ABSENT: Dixon

NAYS: None

10. **ZPD 02-12 – Cross Timbers Village-East**

Public Hearing

Public Hearing to consider a request for rezoning (ZPD 02-12 - Cross Timbers Village - East) to amend Planned Development District No. 103 (PD-103) by amending the Development Standard(s) requiring completed installation of perimeter landscaping and any compatibility wall prior to the issuance of a Certificate of Occupancy (CO) for the first building constructed on the southeastern corner of the intersection encompassed by PD-103, and to consider

adopting an ordinance providing for said amendment. The property is generally located at the southeastern corner of Cross Timbers Road and Bruton Orand Boulevard. *(The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its May 14, 2012, meeting.)*

Staff Presentation

Mr. Powell provided a presentation on the above referenced project. He offered clarification to Council related to:

- Agreements obtained in relation to landscaping as well as the retaining wall

He responded to questions from Council related to:

- Types of uses of adjacent businesses
- Parking lot build out

Mayor Hayden opened the Public Hearing at 7:02 p.m.

Public Participation

Dave Johnson, 3617 San Paula Dr, Flower Mound, TX

Mr. Johnson spoke in favor of the overall project. He also had questions related to the flow of traffic upon completion of the project and incorporation of sidewalks. He also expressed concern stating that the Wellington monument sign will need to be significantly modified due to the addition of a turn lane.

Mr. Powell clarified that the item before Council is not a site plan, as that has already been approved; however, the item being presented is in relation to a small provision that spells out what needs to be done with the compatibility buffer when Walgreens gets built. He addressed the curb cut and sidewalk questions, however, noted he would need to get back to him on the monument sign issue as that would be addressed by engineering.

Mayor Hayden closed the Public Hearing at 7:06 p.m.

Deputy Mayor Pro Tem Wise moved to approve a request for rezoning (ZPD 02-12 - Cross Timbers Village - East) to amend Planned Development District No. 103 (PD-103) by amending the Development Standard(s) requiring completed installation of perimeter landscaping and any compatibility wall prior to the issuance of a Certificate of Occupancy (CO) for the first building constructed on the southeastern corner of the intersection encompassed by PD-103, and adopt an ordinance providing for said amendment. Councilmember Webb seconded the motion.

ORDINANCE NO. 19-12

AN ORDINANCE OF THE TOWN COUNCIL 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 AMENDING ORDINANCE NO. 27-07, WHICH AMENDED ZONING ON APPROXIMATELY 23.98 ACRES OF LAND IN THE PERRY MALONE SURVEY, ABSTRACT NO. 836, THE JOHN W MALONE SURVEY, ABSTRACT NO. 857, AND THE M.E.P. & R.R. SURVEY, ABSTRACT NO. 935 PRESENTLY ZONED PLANNED DEVELOPMENT DISTRICT NO. 103 (PD-103) WITH RETAIL DISTRICT-2 (R-2) USES SUBJECT TO SPECIFIC USE PERMIT NO. 348 (SUP 348) TO PERMIT A SINGLE RETAIL TENANT BETWEEN 50,000 SQUARE FEET AND 75,000 SQUARE FEET, SPECIFICALLY A SUPERMARKET WITH BEER/WINE SALES AND A MOTOR VEHICLE FUEL SERVICE STATION, BY AMENDING EXHIBIT "B," DEVELOPMENT STANDARDS THROUGH THE AMENDMENT OF PARAGRAPH C, "MISCELLANEOUS STANDARDS," BY DELETING EXISTING SUBPARAGRAPH 1 AND REPLACING SAID SUBPARAGRAPH WITH A NEW SUBPARAGRAPH 1 THAT ALLOWS THE INSTALLATION OF REQUIRED PERIMETER AND BUFFER LANDSCAPING AND SCREENING WALLS TO BE DEFERRED IN ACCORDANCE WITH SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Levenick, Webb, Stephenson, Wise

ABSENT: Dixon

NAYS: None

M. WORK SESSION

11. Hold a discussion regarding Kroger development application.

Gary Huddleston, 1331 E Airport Freeway, Irving, TX (Director of Consumer Affairs for Kroger)

Mr. Huddleston expressed appreciation for the Town entertaining their expansion of the Flower Mound store and fuel center. He gave a presentation identifying general expansion plans for the proposed store, including new product areas. He referenced anticipated revenue, and also pointed out ways in which they contribute to the community through charitable organizations.

Mr. Huddleston responded to questions from Councilmembers related to:

- The necessity of the fuel pump component in conjunction with the store expansion
- Price structure related to gasoline
- If there is a crime component associated with the fuel station
- Reasoning associated with the specific location chosen for the fuel station
- Restriping of parking lot plans
- Overall parking demand
- The potential of an expansion at the other Flower Mound store

Nate Collins, 1331 E Airport Frwy, Irving, TX (Real Estate Manager for Kroger)

Mr. Collins provided a presentation outlining the scope and details of the proposed expansion project.

Mr. Collins responded to questions from Councilmembers related to:

- Anticipated plans for the space west of the store
- Location of electric car charging station
- Accidents, if any, associated with fuel trucks
- Timing associated with the project once approved
- Inconveniences associated with the construction process
- Availability of drive-thru pharmacy and the associated width

Michael Clark, Winkelmann & Associates, 6750 Hillcrest Plaza, Ste 325 Dallas, TX (project engineer)

Mr. Clark responded to questions from Council related to:

- Distance of fuel pumps from the road
- Curb cuts
- Traffic flow in relation to the fuel trucks and overall vehicular flow within the shopping center, as well as from FM 1171

Herb Weitzman (Weitzman Group/Cencor Realty Services), 3102 Maple Ave, Dallas, TX

Mr. Weitzman responded to questions from Council related to:

- Existing tenants
- Age of shopping center
- Anticipated improvements to the shopping center

Mr. Powell responded to questions from Council related to:

- Time tables associated with Kroger going through process

N. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

Mayor Pro Tem Stephenson requested the Property Standard Committee come forward at the June 18th meeting to present their recommendations thus far to Council.

Ms. Scott stated an invitation was extended to the group, however, was declined with a request for the July 2nd meeting instead She noted a response is pending from the committee for the July 16th date at this time given the July 2nd date is not available.

Mayor Pro Tem Stephenson also requested an update from the Economic Development Director related to TIP Strategies and The Retail Coach, given it's about the midway point for these groups.

Mayor Hayden indicated this would be discussed in July. She stated her concern with that is their scope was set by the previous council and if anything needs to be changed you can't wait until they are three fourths the way done prior to providing feedback. For that reason it needs to be done by the end of July.

Mayor Hayden indicated he would contact Mr. Jefferson to identify if that time frame fits in with the schedule.

Mr. Springer indicated staff can obtain an update with regard to their work plan. He noted that the mid July time frame would not be too late given the amount of work completed to date.

Mayor Pro Tem Stephenson indicated it would be good for Council to be aware of meetings they are setting up and who they are speaking to, especially with regard to businesses and landowners. She noted there is a need to make sure efforts are not being duplicated, and for them to be aware of Council's focus for the purpose of obtaining a good work product.

O./P. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 7:51 p.m. on June 04, 2012, 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 consultation with Town Attorney, pending litigation, real property, personnel, and economic development negotiations and reconvened into an open meeting at 8:40 p.m. on June 4, 2012, to take action on the items as follows:

- a. Discuss and consider economic development incentives.

No action taken.

- b. Discuss and consider acquisition and/or lease of real property for municipal purposes and all matters incident and related thereto.

No action taken.

- c. Discuss and consider appointments to the Animal Services Board, Board of Adjustment, Oil and Gas Board of Appeals, Community Development Corporation, Environmental Conservation Commission, Parks, Arts and Library Services Board, Public Arts Committee, Planning & Zoning Commission, SMARTGrowth Commission, Tax Increment Reinvestment Zone Number One (TIRZ #1), and Transportation Commission.

Deputy Mayor Pro Tem Wise moved to appoint Bryan Webb to the Tax Increment Reinvestment Zone Number One Board with a term expiration of December 31, 2013. Mayor Pro Tem Stephenson seconded the motion.

VOTE ON THE MOTION

AYES: Wise, Stephenson, Webb, Levenick

ABSENT: Dixon

NAYS: None

Deputy Mayor Pro Tem Wise moved to appoint Jim Robertson to serve as Chair of the Tax Increment Reinvestment Zone Number One Board with a term expiration of December 31, 2012. Councilmember Levenick seconded the motion.

VOTE ON THE MOTION

AYES: Levenick, Webb, Stephenson, Wise

ABSENT: Dixon

NAYS: None

- d. Titan Operating, LLC v. Town of Flower Mound, et al., Cause No. 2010-60411-393, pending in the 393^d Judicial District Court of Denton County, Texas.

No action taken.

Q. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 8:42 p.m. on Monday, June 4, 2012, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

THOMAS E. HAYDEN, MAYOR

ATTEST:

THERESA SCOTT, TOWN SECRETARY