

**THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 16<sup>TH</sup> DAY OF OCTOBER 2017, 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.**

[Click here](#) for meeting Video Link (subject to change)

The Town Council met in a regular meeting with the following members present:

Tom Hayden	Mayor
Don McDaniel	Mayor Pro Tem
Kevin Bryant	Deputy Mayor Pro Tem
Bryan Webb	Councilmember Place 2
Claudio Forest	Councilmember Place 5

with the following member absent:

Jason Webb	Councilmember Place 1
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constituting a quorum with the following members of the Town Staff participating:

Theresa Scott	Town Secretary
Drew Larkin	Town Attorney
Jimmy Stathatos	Town Manager
Debra Wallace	Deputy Town Manager/CFO
Doug Powell	Executive Director of Development Services
Eric Greaser	Fire Chief

**A. CALL REGULAR MEETING TO ORDER**

Mayor Hayden called the regular meeting to order at 6:04 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. Presentation of Lifesaving Award to Engineer Chris Blair, Engineer Tim Mackling, Firefighter Eric Frias, Firefighter Ryan Hughes and Firefighter Scott Walley

Fire Chief Eric Greaser provided background information regarding a recent lifesaving event by the Firefighters listed above and presented each of them with this award.

2. Proclamation for Dyslexia Awareness Month

Resident Amy Wallace, and her daughter, Bailey accepted the Proclamation.

3. Proclamation to the Flower Mound Chamber of Commerce in conjunction with Texas Chamber of Commerce Week

Chamber of Commerce President, Lori Walker, accepted the Proclamation

4. Update from Veterans Liaison Doug Brown on current events  
Veterans Liaison Doug Brown reported on various upcoming Veterans events.
5. Consider approval of a resolution establishing and declaring the name of the Town Council Chambers, including issuing a Proclamation related thereto  
Mayor Hayden offered background information about why Ms. Jody Smith is being recognized. Mayor Pro Tem McDaniel recited the Proclamation and presented it to Ms. Smith. Various members of the public, as well as local and regional dignitaries offered comments highlighting various accomplishments as a result of her contributions.

Councilmember Bryan Webb moved to approve that the Town of Flower Mound, in recognition of Jody Smith for her many years of dedicated and selfless service, name the Council Chambers in the new Town Hall Jody Smith Hall. Councilmember Forest seconded the motion.

**VOTE ON MOTION:**

*Motion passed*

**AYES: FOREST, BRYANT, MCDANIEL, B. WEBB**

**NAYS: NONE**

**ABSENT: J. WEBB**

**RESOLUTION NO. 20-17**

**A RESOLUTION TO NAME THE TOWN OF FLOWER MOUND COUNCIL CHAMBERS JODY SMITH HALL; AND PROVIDING AN EFFECTIVE DATE.**

**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.*

	<b>Speaker names and address</b>	<b>Subject (as written on the form)</b>
1.	Todd Ermenio, 4813 Rangewood Dr	Tree trimming issues on Kings Rd
2.	Cassie Weaver/Club members, 2525 Old Settlers Rd	Old Settlers Elementary Giving Tree
3.	Carol Kohankie, 4312 Lauren Way	Library Friends book sale

**F. ANNOUNCEMENTS**

Councilmember Forest reported on the Fire Department Open House last Saturday and announced that the upcoming Police Department open house will be October 28<sup>th</sup>.

Mayor Pro Tem McDaniel announced registration information for the Communities in Schools of North Texas annual golf tournament scheduled for Monday, October 23<sup>rd</sup>, and noted that the proceeds are going to help local schools.

**G. TOWN MANAGER'S REPORT**

Mr. Stathatos gave an update on the following items:

1. Capital improvement projects
  - Rheudasil, Cortadera, and Wilkerson ponds
  - Traffic signal at FM 2499 and College Pkwy
  - Gibson Grant cabin master plan

## 2. Economic Development projects

- Flower Mound ranked # 1 for most livable city in Texas and #13 in America by USA Today
- Nerd Wallet ranked Flower Mound # 7 as best small city for families
- Economic Innovation Group named Flower Mound as the most prosperous city for its size in the nation
- CTDI is expanding once again
- CVS Specialties (upscale pharmaceutical distribution center)

## 3. Sidewalk/street lighting improvements

- The update for this item was postponed until the next Council meeting

Mr. Stathatos reported that “no diving” signs have been installed in Twin Coves Park near the cliff area by Lake Grapevine due to some safety concerns that were reported.

**H. FUTURE AGENDA ITEMS**

There were no future agenda items requested.

**I. COORDINATION OF CALENDARS**

1. The next Town Council work session is scheduled for Thursday, October 19<sup>th</sup>.
2. The next Town Council regular meeting is scheduled for Monday, November 6<sup>th</sup>.

Mayor Hayden announced both the work session and regular meeting dates.

**J. CONSENT ITEMS**

1. Consider approval of the minutes from a regular meeting of the Town Council held on October 2, 2017.

**RECOMMENDATION:** Move to approve the minutes from a regular meeting of the Town Council held on October 2, 2017.

2. Consider approval of a Preliminary Engineering Agreement with the Union Pacific Railroad, in the amount of \$25,000.00, for work on the U.S. 377 at Canyon Falls Drive signal project, associated with the interconnection of their equipment to the new traffic signal; and authorization for the Mayor to execute same on behalf of the Town.

**RECOMMENDATION:** Move to approve a Preliminary Engineering Agreement with the Union Pacific Railroad, in the amount of \$25,000.00, for work on the U.S. 377 at Canyon Falls Drive signal project, associated with the interconnection of their equipment to the new traffic signal; and authorization for the Mayor to execute same on behalf of the Town.

3. Consider approval of the purchase of a 2017 Velocity PUC Pumper truck for the Fire and Emergency Services Department from Siddons-Martin Emergency Group, through the Houston-Galveston Area Council of Governments (H-GAC) cooperative purchasing program, in the total amount of \$680,193.00; and authorization for the Mayor to execute same on behalf of the Town.

**RECOMMENDATION:** Move to approve the purchase of a 2017 Velocity PUC Pumper truck for the Fire and Emergency Services Department from Siddons-Martin Emergency Group, through the Houston-Galveston Area Council of Governments (H-GAC) cooperative purchasing program, in the total amount of \$680,193.00; and authorization for the Mayor to execute same on behalf of the Town.

4. Consider approval of the purchase of a Road Rescue Ultramedic Type 1 Ambulance for the Fire and Emergency Services Department from Siddons-Martin Emergency Group, through the Houston-Galveston Area Council of Governments (H-GAC) cooperative purchasing program, in the total amount of \$318,306.00; and authorization for the Mayor to execute same on behalf of the Town.

**RECOMMENDATION:** Move to approve the purchase of a Road Rescue Ultramedic Type 1 Ambulance for the Fire and Emergency Services Department from Siddons-Martin Emergency Group, through the Houston-Galveston Area Council of Governments (H-GAC) cooperative purchasing program, in the total amount of \$318,306.00; and authorization for the Mayor to execute same on behalf of the Town.

Deputy Mayor Pro Tem Bryant moved to approve by consent Items 1-4 Mayor Pro Tem McDaniel 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: B. WEBB, MCDANIEL, BRYANT, FOREST**

**NAYS: NONE**

**ABSENT: J. WEBB**

*Motion passed*

**K. REGULAR ITEMS**

Mayor Hayden opened items 5 and 6 at the same time.

5. Public Hearing to consider a request for a Master Plan Amendment (MPA17-0006 – Stonecrest Storage) 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 Office or Medium Density Residential to Commercial / Industrial use on approximately 4.545 acres of land within the Denton Creek District Area Plan, and to consider adopting an ordinance providing for said amendment. The property is generally located north of Canyon Falls Drive and east of Stonecrest Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its October 9, 2017, meeting.)

**Staff Presentation**

Mr. Powell gave a presentation for items 5 and 6 identifying or noting:

- General and detailed location
- Land use and zoning
- Photos of the site
- Landscape plan
- The property owner agreement that was worked out since the Planning & Zoning Commission meeting (compromise letter is included with the packet)
- Elevations
- No additional correspondence received

and he responded to questions from Council as follows:

- Is there any other commercial use in this area
- How will the open space in the corner be landscaped
- What is the height of the two buildings in the front as opposed to the back

**Applicant Presentation**

The applicant did not have a presentation; however, was available for any questions.

Mayor Hayden opened the Public Hearing for items 5 and 6 at 7:53 p.m. No one spoke in support or opposition for either item 5 or 6. Mayor Hayden closed the Public Hearing at 7:53 p.m.

Councilmember Bryan Webb moved to approve a request for a Master Plan Amendment (MPA17-0006 – Stonecrest Storage) 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 Office or Medium Density Residential to Commercial/Industrial uses, and adopt an ordinance providing for said amendment. Councilmember Forest seconded the motion.

**ORDINANCE NO. 39-17**

**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, SPECIFICALLY TO CHANGE THE CURRENT LAND USE DESIGNATION ON 4.545 ACRES OF LAND SITUATED IN THE THOMAS BURRIS SURVEY, ABSTRACT NUMBER 33, FROM OFFICE OR MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL/INDUSTRIAL WITHIN THE DENTON CREEK DISTRICT AREA PLAN IN ACCORDANCE WITH SPECIFIC EXHIBITS ATTACHED HERETO; 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:**

**AYES: FOREST, BRYANT, MCDANIEL, B. WEBB**

**NAYS: NONE**

**ABSENT: J. WEBB**

*Motion passed*

6. Public Hearing to consider a request for rezoning (ZPD17-0006 – Stonecrest Storage) from Interim Holding (IH) to Planned Development District No. 155 (PD-155) with Commercial District-1 (C-1) uses and Specific Use Permit No. 450 (SUP-450) to permit a miniwarehouse, 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 north of Canyon Falls Drive and east of Stonecrest Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its October 9, 2017, meeting.)

Mayor Pro Tem McDaniel moved to approve a request for rezoning (ZPD17-0007-Stonecrest Storage) to Planned Development District No. 155 (PD-155) with Commercial District-1 (C-1) uses and Specific Use Permit No. 450 (SUP-450) to permit a miniwarehouse, with certain exceptions and modifications to the Code of Ordinances, and adopt an ordinance providing for said amendment. Councilmember Forest seconded the motion.

#### ORDINANCE NO. 40-17

**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 4.545 ACRES OF LAND SITUATED IN THE THOMAS BURRIS SURVEY, ABSTRACT NO. 33, FROM INTERIM HOLDING (IH) TO PLANNED DEVELOPMENT DISTRICT NO. 155 (PD-155) WITH COMMERCIAL DISTRICT-1 (C-1) USES AND SPECIFIC USE PERMIT NO. 450 (SUP-450) FOR A MINIWAREHOUSE, IN ACCORDANCE WITH SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; 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; AND PROVIDING AN EFFECTIVE DATE.**

**VOTE ON MOTION:**

*Motion passed*

**AYES: B. WEBB, MCDANIEL, FOREST**

**NAYS: BRYANT**

**ABSENT: J. WEBB**

7. Public Hearing to consider a request for rezoning to amend Planned Development District-114 (PD-114) with Retail District-2 (R-2) and Office District (O) uses to modify the development standards and request certain exceptions and modifications to the Code of Ordinances, and to consider adopting an ordinance providing for said amendment. The property is generally located east of Long Prairie Road and south of College Parkway. (Planning and Zoning recommended approval by a vote 6-0 at its October 9, 2017, meeting.)

#### **Staff Presentation**

Mr. Powell gave a presentation identifying or noting:

- Detailed location
- Land use and zoning
- Photos of the site

- Proposed concept plan and how the item changes a private access drive into a public street
- Exceptions and modifications
- Landscape plan
- There will be a record plat that will come to P & Z if approved
- No correspondence has been received

Mayor Hayden opened the Public Hearing at 8:00 p.m. No one spoke in support or opposition. Mayor Hayden closed the Public Hearing at 8:00 p.m.

Mayor Pro Tem McDaniel moved to approve a request for rezoning (ZPD17-0011 – Timber Creek Medical Park) to amend Planned Development District-114 (PD-114) with Retail District-2 (R-2) and Office District (O) uses to modify the development standards and request certain exceptions and modifications to the Code of Ordinances, and adopt an ordinance providing for said amendment. Deputy Mayor Pro Tem Bryant seconded the motion.

#### ORDINANCE NO. 41-17

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NOS. 75-10, 17-13, AND 05-17 WHICH ESTABLISHED AND LATER AMENDED PLANNED DEVELOPMENT DISTRICT NO. 114 (PD-114) ON CERTAIN PROPERTY DESCRIBED AS 22.357 ACRES OF LAND SITUATED IN THE TIMBER CREEK MEDICAL OFFICE PLAZA AND C. CHACON SURVEY, ABSTRACT NUMBER 299, BY AMENDING EXHIBIT “B,” ENTITLED “DEVELOPMENT STANDARDS,” BY ADDING CERTAIN EXCEPTIONS TO PARAGRAPH G, ENTITLED “EXCEPTIONS AND VARIANCES,” IN ACCORDANCE WITH SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; 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: FOREST, BRYANT, MCDANIEL, B. WEBB**

**NAYS: NONE**

**ABSENT: J. WEBB**

8. Consider approval of a revised Community Support Funding Criteria policy.

#### **Staff Presentation**

Ms. Wallace gave a presentation identifying or noting:

- Background information
- Criteria to determine the Town department the agency would qualify under
- Eligible organizations
- Alternative options regarding the policy change

There was Council discussion regarding:

- Thought process that cultural arts would fall under the parks department
- Would like to see the Town's parks department utilize some of the cultural arts groups, and it might enhance that relationship
- Need to find ways to bolster cultural arts in the community
- Possibility of paying organizations like Voices of Flower Mound when they perform a service for the Town
  
- Whether or not the process of having the Cultural Arts Commission participate in the application process was helpful
- How to handle cultural arts and other organizations applications that are not department or Town mission related
- How cultural arts is a component of quality of life that fits into the Town's Mission Statement and consideration needs to be given to not strip them of funding entirely
- Have some community support organizations considered by departments and have others that don't fit the mold be considered separately
- Give the decision to council if it doesn't fall under a service that falls within the Town's mission or fits under a particular department
- How there is not a one size fits all scenario
- Whether the existing process is broken, and what is gained by changing the process again
- Whether or not there should be a cap amount

and she or Mr. Stathatos responded to questions from Council as follows:

- Can any of the hot tax be used for cultural arts

Councilmember Bryan Webb moved to modify the Community Support Funding Criteria policy as discussed. Councilmember Forest seconded the motion.

#### Council Discussion

Deputy Mayor Pro Tem Bryant clarified that the policy change means that upon receipt of a community support organization funding application, staff would review it and if it fits the eligibility criteria as listed in the presentation/packet, it would be considered within that department budget. If it doesn't meet the eligibility criteria, the application would then go to council and be reviewed at the August budget work session (along with the Cultural Arts applications). In addition, the current cap in the policy will remain the same but be allocated based upon the numbers that were presented this past year.

#### **VOTE ON MOTION:**

**AYES: B. WEBB, BRYANT, FOREST**

**NAYS: NONE**

**ABSENT: J. WEBB, MCDANIEL**

*Motion passed*



**L. BOARDS/COMMISSIONS (Bold text represents boards with vacancies)****(Executive Conference Room)**

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

No action taken.

**M./N. CLOSED/OPEN MEETING**

The Town Council convened into a closed meeting at 8:37 p.m. on October 16, 2017, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.074, 551.087, 551.072, and 551.071 to discuss matters relating to personnel, economic development negotiations, real property, and consultation with attorney,, and reconvened into an open meeting at 9:33 p.m. on October 16, 2017, to take action on the items as follows:

- 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.

No action taken.

- 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.

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

No action taken.

- d. Consultation with Attorney as follows:

1. Professional Services and Management Agreement between the Town of Flower Mound and DayOne Consulting, LLC

No action taken.

O. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 9:33 p.m. on Monday, October 16, 2017, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



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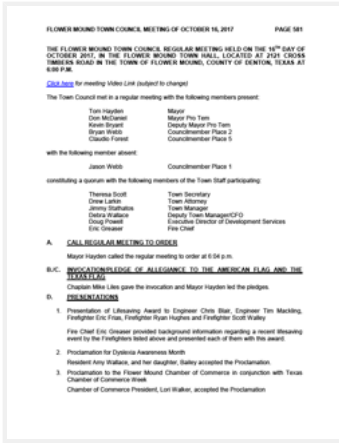
THOMAS E. HAYDEN, MAYOR

ATTEST:



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THERESA SCOTT, TOWN SECRETARY











# 11.06.17\_1\_Minutes from 10.16.17

Adobe Sign Document History

11/10/2017

Created:	11/07/2017
By:	Anne Carnes (TownSecretary@flower-mound.com)
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-  Document created by Anne Carnes (TownSecretary@flower-mound.com)  
11/07/2017 - 3:54:48 PM CST- IP address: 24.227.240.67
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-  Document viewed by Theresa Scott (theresa.scott@flower-mound.com)  
11/10/2017 - 10:12:50 AM CST- IP address: 24.227.240.67
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Signature Date: 11/10/2017 - 10:12:58 AM CST - Time Source: server- IP address: 24.227.240.67
-  Signed document emailed to Anne Carnes (TownSecretary@flower-mound.com), Theresa Scott (theresa.scott@flower-mound.com) and Thomas E Hayden (mayor@flower-mound.com)  
11/10/2017 - 10:12:58 AM CST

