

**THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 4<sup>TH</sup> DAY OF DECEMBER 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 the 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
Jason Webb	Councilmember Place 1
Bryan Webb	Councilmember Place 2
Claudio Forest	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
Debra Wallace	Deputy Town Manager/CFO
Tommy Dalton	Assistant Town Manager
Doug Powell	Executive Director of Development Services
Tiffany Bruce	Engineering Manager
Chuck Jennings	Director of Parks and Recreation
Andrea Roy	Director of Economic Development
Gary Sims	Executive Director of Community Services
Molly Fox	Director of Communications

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

**D. PRESENTATIONS**

1. Announcement and Presentation of 2017 Outstanding Citizenship Award(s)

Mayor Hayden provided background information about the recognition program.

Kathy O’Keefe, Chair of the 2017 Outstanding Citizenship Award Committee, gave a presentation identifying or noting:

- Background information about the program, including:
  - Purpose
  - Criteria
  - Committee members

- Nominations summary
- A summary of what the winning recipients get
- Committee feedback
  - Clarification regarding if the works of the nominee should be focused on what they have done in Flower Mound or simply if they were from Flower Mound:
    - There was Council consensus that the focus should be about the work they have done in Flower Mound.
  - Clarification regarding if a current member of Council should be eligible to win:
    - There was Council consensus that a current member of Council should not be eligible to win
- With the announcement of the 2017 recipients:
  - Marilyn Lawson (Individual)
  - Flower Mound Garden Club (Group)

Mayor Hayden recited and presented a Proclamation for each recipient.

2. Town of Flower Mound Communications Department Awards Presentation

Molly Fox, Director of Communications, provided a summary of the state and national awards the Communications team received over the last five years.

3. Bands of America Grand National Championship recognition for Marcus High School and Flower Mound High School bands

Band Directors Amanda Drinkwater (Marcus High School) and Brent Biskup (Flower Mound High School) accepted the certificates of recognition for their respective schools. Various student band members from each school also attended.

**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.*

Police Chief Kancel and Officer Buck reported on the Santa Cops program and collected donated toys from the Town Council.

	Speaker names and address	Subject (as written on the form)
1.	Karen Rawson, 1409 Basil Dr	Lighting at The Hound Mound, Memorial to Andrew Rawson
2.	Cale Balusek, 3705 Hillsdale Dr With donated time from: Steven Balusek, 3705 Hillsdale Dr	Tennis Tournament Update/Fundraiser
3.	Doug Brown, 1721 Ingleside Dr	Veterans
4.	Paul Stone, 4100 Broadway	Christmas Parade

**F. ANNOUNCEMENTS**

Councilmember Forest announced that the Summit Club will be collecting canned goods at the parade on December 9<sup>th</sup>.

Councilmember Jason Webb had the following announcements:

1. appreciation for the bands and their accomplishments, including the life lessons that are being taught that go beyond just playing an instrument
2. how it's a great time of year to give back to the non-profits in our community

Deputy Mayor Pro Tem Bryant stressed the importance of driving safely throughout the community, and to slow down and follow the speed limit.

**G. TOWN MANAGER'S REPORT**

Mr. Stathatos provided an update and discussion on the following projects:

1. Capital improvement projects
  - College and FM 2499
  - Traffic signal at US 377 and Canyon Falls
  - Cortadera Pond
  - Rheudasil Pond
  - FM 2499 drainage improvements
  - Small cell node applications
2. Economic Development projects
  - Retail and restaurant survey
  - Crossfire Defense Academy now open
  - Niagara Conservation business update
3. Tennis Center options

Mayor Hayden provided background information regarding efforts that have been made with LISD officials as it relates to either purchasing land from LISD or using their existing tennis courts.

Mr. Jennings gave a presentation identifying or noting:

- Minimum site requirements needed for a tennis center
- Possible locations for a tennis center and the pros and cons of each site option:
  - Leonard Johns Park/LISD Administration Campus
  - Gerault Park/Community Activity Center
  - LISD Property near Liberty Elementary
  - Dunham Ranch Recreational Area

and he or Ms. Wallace responded to questions from Council as follows:

- When looking at land, was privately owned land considered
- Have future large projects been identified as a way to get park land that is needed
- Funding sources
- Is there any other park land out there that is large enough to be converted to this additional use

and there was Council discussion regarding:

- Possibility of having a ballot item with the May election for the voters to decide if they are interested in funding a tennis center

and there was direction provided from a consensus of Council to:

- Have staff look into additional options, including possible private property locations

4. Lighting at The Hound Mound dog park

Mr. Jennings gave a presentation identifying or noting:

- Memorial donation for safety lighting
- Considerations
- The purpose of the lights is solely to allow people to exit safely at closing time (particularly during the winter months when it gets dark sooner), and not meant to extend the hours of the park
- Recommended locations for lighting within the park
- Example of the proposed solar powered light, and it's designed to illuminate a 30 foot radius

and he responded to questions from Council as follows:

- What is the cost per light
- What are the current hours at the dog park

and there was Council discussion regarding:

- Ms. Rawson's feedback on how the Town proceeds needs to be taken into account
- Appreciation for the \$10,000 to \$11,000 to be donated by the Rawson family toward the purchase of the lights
- Interest in enhancing what is proposed by adding 3 or 4 more additional lights than what is proposed to better light the parking lot and entrances
- Consider a higher power solar light (something better than 300 lumens)
- How the additional lighting is great from a safety perspective; however, caution needs to be given with respect to unintended consequences of extending the hours of the park as well as light pollution out of respect for the neighbors and the natural environment

Other questions for the Town Manager:

Deputy Mayor Pro Tem Bryant requested an update on what will happen to the turtles at Wilkerson and Rheudasil Park pond, and Mr. Simms responded that the pond will be restocked and they will bring back the turtles.

**H. FUTURE AGENDA ITEMS**

1. Mayor Hayden indicated that the owner of the new business Crossfire has offered the Town to use their property for holiday lighting or an entrance sign.

**I. COORDINATION OF CALENDARS**

1. A special work session date is scheduled for Thursday, December 14th.

Mayor Hayden announced the special work session date of December 14<sup>th</sup> and confirmed there will be a consensus of Council in attendance.

2. A regular meeting is a scheduled for Monday, December 18th.

Mayor Hayden announced the regular meeting date of December 18<sup>th</sup> and confirmed there will be a consensus of Council in attendance.

**J. CONSENT ITEMS**

1. Consider approval of the minutes from a regular meeting of the Town Council held on November 20, 2017.

**DRAFT MOTION:** Move to approve the minutes from a regular meeting of the Town Council held on November 20, 2017.

2. Consider approval of a Professional Services Agreement for monthly gas well pad site air monitoring by Modern Geosciences, LLC, in the amount of \$141,600.00; and authorization for the Mayor to execute same on behalf of the Town.

**DRAFT MOTION:** Move to approve a Professional Services Agreement for monthly gas well pad site air monitoring by Modern Geosciences, LLC, in the amount of \$141,600.00; and authorization for the Mayor to execute same on behalf of the Town.

3. Consider approval of a resolution authorizing the adoption of the Program Year 2016 Consolidated Annual Performance & Evaluation Report for the Community Development Block Grant; and authorization for the Mayor to execute same on behalf of the Town and submit to the U.S. Department of Housing and Urban Development.

**DRAFT MOTION:** Move to approve a resolution authorizing the adoption of the Program Year 2016 Consolidated Annual Performance & Evaluation Report for the Community Development Block Grant; and authorization for the Mayor to execute same on behalf of the Town and submit to the U.S. Department of Housing and Urban Development.

**RESOLUTION NO. 26-17**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, PROVIDING FOR THE ADOPTION OF FLOWER MOUND'S PROGRAM YEAR 2016 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; PROVIDING AUTHORIZATION FOR THE MAYOR TO EXECUTE SAID REPORT; AND PROVIDING AN EFFECTIVE DATE.**

4. Consider approval for the final acceptance of the Forest Vista Drive Reconstruction project, and authorization of final payment to Tiseo Paving Company, in the amount of \$150,790.04.

**DRAFT MOTION:** Move to approve the final acceptance of the Forest Vista Drive Reconstruction project, and authorization of final payment to Tiseo Paving Company, in the amount of \$150,790.04.

5. Consider approval for the final acceptance of the McKamy Creek Road Reconstruction project, and authorization of final payment to Tiseo Paving Company, in the amount of \$63,322.00.

**DRAFT MOTION:** Move to approve the final acceptance of the McKamy Creek Road Reconstruction project, and authorization of final payment to Tiseo Paving Company, in the amount of \$63,322.00.

6. Consider approval of the Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services, for the FM 1171 at River Walk Drive Intersection Improvements project in the amount of \$87,500.00; and authorization for the Mayor to execute same on behalf of the Town.

**DRAFT MOTION:** Move to approve the Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide professional engineering services, for the FM 1171 at River Walk Drive Intersection Improvements project in the amount of \$87,500.00; and authorization for the Mayor to execute same on behalf of the Town.

7. Consider approval of Change Order No. 1 and final acceptance of the FM 2499 12-Inch Water Line Phase III Section 2 project, amending the contract with Wildstone Construction, LLC, for a decrease to the contract in the amount of \$11,410.80, and authorizing final payment to Wildstone Construction, LLC, in the amount of \$36,462.12; and authorization for the Mayor to execute same on behalf of the Town.

**DRAFT MOTION:** Move to approve Change Order No. 1 and final acceptance of the FM 2499 12-Inch Water Line Phase III Section 2 project, amending the contract with Wildstone Construction, LLC, for a decrease to the contract in the amount of \$11,410.80, and authorizing final payment to Wildstone Construction, LLC, in the amount of \$36,462.12; and authorization for the Mayor to execute same on behalf of the Town.

8. Consider approval of the Professional Services Agreement with Criado and Associates, Inc., to provide professional engineering services, for the Churchill Drive project in the amount of \$66,706.00; and authorization for the Mayor to execute same on behalf of the Town .

**DRAFT MOTION:** Move to approve the Professional Services Agreement with Criado and Associates, Inc., to provide professional engineering services, for the Churchill Drive project in the amount of \$66,706.00; and authorization for the Mayor to execute same on behalf of the Town

9. Consider approval of the award of Request for Bid Number 2018-9-A to the lowest responsive, responsible bidder, Professional Pavement Products, Inc., for an estimated annual expenditure of \$170,000; and authorization for the Mayor to execute same on behalf of the Town. The contract is for one-year with three one-year renewal options. Renewal options will be used for maintenance purposes after year one.

**DRAFT MOTION:** Move to approve the award of Request for Bid Number 2018-9-A to the lowest responsive, responsible bidder, Professional Pavement Products, Inc., for an estimated annual expenditure of \$170,000; and authorization for the Mayor to execute same on behalf of the Town. The contract is for one-year with three one-year renewal options. Renewal options will be used for maintenance purposes after year one.

10. This item was pulled from consent.

11. Consider approval of the purchase of a Self-Contained Breathing Apparatus (SCBA) package including spare SCBA bottles, Rapid Intervention Team (RIT) packs and 5500 psi air packs with cylinders, through BuyBoard Purchasing Contract No. 524-17 in the total amount of \$105,300.00; and authorization for the Mayor to approve same on behalf of the Town.

**DRAFT MOTION:** Move to approve the purchase of a Self-Contained Breathing Apparatus (SCBA) package including spare SCBA bottles, Rapid Intervention Team (RIT) packs and 5500 psi air packs with cylinders, through BuyBoard Purchasing Contract No. 524-17 in the total amount of \$105,300.00; and authorization for the Mayor to approve same on behalf of the Town.

12. Consider approval of an Annual Preventative Maintenance Agreement with Gifford Electric, Inc. for the Town's Outdoor Warning Siren System in the amount of \$15,660.00; and authorization for the Mayor to execute same on behalf of the Town.

**DRAFT MOTION:** Move to approve an Annual Preventative Maintenance Agreement with Gifford Electric, Inc. for the Town's Outdoor Warning Siren System in the amount of \$15,660.00; and authorization for the Mayor to execute same on behalf of the Town.

13. Consider approval of an Interlocal Agreement with the Denton County Tax Assessor-Collector (Denton County) for the continuation of the Scofflaw program, and authorization for the Mayor to execute same on behalf of the Town.

**DRAFT MOTION:** Move to approve an Interlocal Agreement with the Denton County Tax Assessor-Collector (Denton County) for the continuation of the Scofflaw program, and authorization for the Mayor to execute same on behalf of the Town.

Councilmember Bryan Webb moved to approve by consent Items 1 - 9, 11 - 13. Mayor Pro Tem McDaniel seconded the motion. Each item, as approved by consent, is restated above along with the approved draft motion, and if applicable, the Ordinance or Resolution caption for each, for the record.

**VOTE ON MOTION:**

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

**NAYS: NONE**

*Motion passed*

**K. REGULAR ITEMS**

10. Consider approval of the Atrium at F.M. Lease Extension and Termination Agreement.

Mayor Pro Tem McDaniel indicated he had the item pulled because he wanted to make sure there is a transition plan so there is not a huge vacancy when the Town leaves as a tenant.

Mr. Stathatos pointed out the Town's role in assisting the property owner in filling the space.

Mayor Pro Tem McDaniel moved to approve to the Atrium at F.M. Lease Extension and Termination Agreement. Councilmember Bryant seconded the motion.

**VOTE ON MOTION:***Motion passed***AYES: B WEBB, MCDANIEL, BRYANT, J WEBB, FOREST****NAYS: NONE**

14. Public Hearing to consider approval of a Chapter 3809 Agreement between the Town of Flower Mound and Mannatech, Inc.

**Staff Presentation**

Ms. Roy gave a presentation identifying or noting:

- Site location
- Mannatech relocation
- Proposed incentive
- Cost benefit analysis

Mayor Hayden opened the Public Hearing at 8:06 p.m. No one spoke in support or opposition. Mayor Hayden closed the Public Hearing at 8:06 p.m.

Mayor Pro Tem McDaniel moved to approve to the Chapter 380 Agreement between the Town of Flower Mound and Mannatech, Inc., and authorize the Mayor to execute same on behalf of the Town. Councilmember Bryant seconded the motion.

**VOTE ON MOTION:***Motion passed***AYES: FOREST, J WEBB, BRYANT, MCDANIEL****NAYS: B WEBB**

15. Consider approval of a resolution approving and authorizing publication of notice of intention to issue Certificates of Obligation, Series 2018, in the principal amount not to exceed \$10,900,000.

**Staff Presentation**

Ms. Wallace provided background information about the item.



Mayor Pro Tem McDaniel moved to approve a resolution approving and authorizing publication of notice of intention to issue Certificates of Obligation, Series 2018, in the principal amount not to exceed \$10,900,000. Councilmember Bryan Webb seconded the motion.

#### RESOLUTION NO. 25-17

### 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.

#### VOTE ON MOTION:

*Motion passed*

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

**NAYS: NONE**

16. Consider approval of a Professional Services Agreement for design services for the renovation and expansion of the Flower Mound Library with Komatsu Architecture., for \$794,963; authorization for the Mayor to execute the same on behalf of the Town; and authorization of the construction manager at risk contracting method for renovation and expansion of the Flower Mound Library.

#### Staff Presentation

Ms. Wallace gave a presentation identifying or noting:

- History and background information
- Design process and anticipated construction beginning September 2018
- Conceptual plan

And there was Council discussion as follows:

- Interest in having the western exposure incorporate outdoor open space that is connected to the library
- Interest in listening to the land and include a flow from one to the other with things like patios and windows
- Interest in integrating the adjacent park with the Library
- Interest in having an additional entrance from the park side of the building, or even just a path to the Library entrance
- Appreciation for the library staff for their perseverance over the years as other projects were moved ahead

And she responded to questions from Council as follows:

- Would Council have another opportunity to provide input on the conceptual design
- Clarification regarding the scope of work for the renovation portion of the library
- Concerns regarding early closing hours at the library, particularly on Thursdays

#### Dana Compton, Komatsu Architecture

Ms. Compton pointed out the process in the building design and indicated there would be an additional opportunity for feedback.

Mayor Pro Tem McDaniel moved to approve a Professional Services Agreement for design services for the renovation and expansion of the Flower Mound Library with Komatsu Architecture, for \$794,963; authorization for the Mayor to execute the same on behalf of the

Town; and authorization of the construction manager at risk contracting method for renovation and expansion of the Flower Mound Library. Councilmember Forest seconded the motion.

**VOTE ON MOTION:**

*Motion passed*

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

**NAYS: NONE**

**L. BOARDS/COMMISSIONS (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.

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

The Town Council convened into a closed meeting at 8:28 p.m. on December 4, 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 8:46 p.m. on December 4, 2017, to take action on the items as follows:

- a. 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.

- b. 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.

- c. Discuss and consider resignations, appointments, or evaluations 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.

- d. Consultation with Attorney as follows:

1. Professional Services and Management Agreement between the Town of Flower Mound and DayOne Consulting, LLC. and 650 Parker Square Lease Agreement.

No action taken.

O. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 8:46 p.m. on December 4, 2017, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



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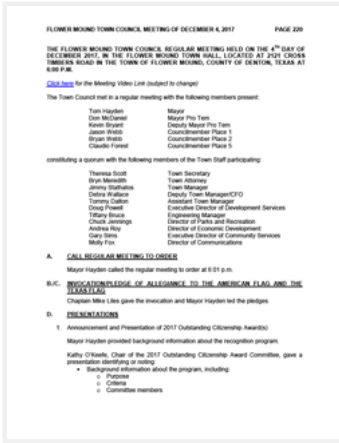
THOMAS E. HAYDEN, MAYOR

ATTEST:



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THERESA SCOTT, TOWN SECRETARY











# 12.18.17\_1\_Minutes from 12.4.17

Adobe Sign Document History

12/27/2017

Created:	12/19/2017
By:	Anne Carnes (TownSecretary@flower-mound.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAorzBT9WD4PQ3g1BzC-Rn6om0AHK4tJ0b

## "12.18.17\_1\_Minutes from 12.4.17" History

-  Document created by Anne Carnes (TownSecretary@flower-mound.com)  
12/19/2017 - 5:32:48 PM CST- IP address: 24.227.240.67
-  Document emailed to Thomas E Hayden (mayor@flower-mound.com) for signature  
12/19/2017 - 5:33:25 PM CST
-  Document viewed by Thomas E Hayden (mayor@flower-mound.com)  
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-  Document e-signed by Thomas E Hayden (mayor@flower-mound.com)  
Signature Date: 12/27/2017 - 11:24:42 AM CST - Time Source: server- IP address: 24.227.240.67
-  Document emailed to Theresa Scott (theresa.scott@flower-mound.com) for signature  
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-  Document viewed by Theresa Scott (theresa.scott@flower-mound.com)  
12/27/2017 - 3:39:56 PM CST- IP address: 24.227.240.67
-  Document e-signed by Theresa Scott (theresa.scott@flower-mound.com)  
Signature Date: 12/27/2017 - 3:40:06 PM 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)  
12/27/2017 - 3:40:06 PM CST

