

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 18TH DAY OF JUNE 2018, 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 (arrived at 6:15 p.m.)
Claudio Forest	Deputy Mayor Pro Tem
Sandeep Sharma	Councilmember Place 2
Kevin Bryant	Councilmember Place 3
Jim Engel	Councilmember Place 4

with the following member absent:

Jason Webb	Mayor Pro Tem
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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
Tiffany Bruce	Executive Director of Public Works
David Bauer	Construction Manager
James Hoefert	Environmental Review Analyst
Michael Davenport	Community Activity Center Manager
Sue Ridnour	Director of Library Services

A. CALL REGULAR MEETING TO ORDER

Deputy Mayor Pro Tem Forest 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 Mark Sherrill gave the invocation and Deputy Mayor Pro Tem Forest led the pledges.

D. PRESENTATIONS

1. Certificate of Achievement for the State Champions FMHS Water Polo Team

Coach Troy Goddard accepted the Certificate of Achievement and introduced the team.

2. Proclamation for National Parks and Recreation Month

Mr. Davenport provided background information about the purpose of Parks and Recreation month. He also introduced some of the Community Services staff and highlighted various park facilities and programs.

Deputy Mayor Pro Tem Forest recited the Proclamation and presented it to Mr. Davenport.

3. Friends of the Flower Mound Public Library donation

Sue Ridnour, Director of Library Services, introduced Ann Martin, Friends of the Library, President. Ms. Martin provided background information about the work of the Friends of the Library and presented the Town with a check in the amount of \$10,000 for the Library. She also had each board member introduce themselves.

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.	Carol Kohankie, 4312 Lauren Way	Senior Housing and senior living designation

F. ANNOUNCEMENTS

Mayor Hayden offered a brief comment regarding the proposal presented during public participation as it relates to senior housing. He also shared his thoughts and insight regarding his time on Council.

G. TOWN MANAGER'S REPORT

Mr. Stathatos provided an update on the following projects:

1. Capital improvement projects
 - Traffic signal at 2499 at College Parkway is now operational
 - The Library Construction Manager at Risk is an agenda item on tonight's agenda
2. Economic Development projects
 - New businesses opening soon:
 - Expedia Cruise Ships Center
 - Archway Hypnosis
 - Shade Works

H. FUTURE AGENDA ITEMS

1. There were no items requested for a future agenda.

I. COORDINATION OF CALENDARS

Mayor Hayden announced the following upcoming meeting dates:

1. A special meeting on Tuesday, June 26, to canvass the election.
2. The next Town Council regular meeting is scheduled for Monday, July 16.

Mr. Stathatos indicated a conflict has come up with the original date of July 20th for the Strategic Planning session. He proposed the reschedule dates of July 17th or July 30th. There was Council consensus to proceed with the July 17th date.

J. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on June 4, 2018.

DRAFT MOTION: Move to approve the minutes from a regular meeting of the Town Council held on June 4, 2018.

2. Consider approval to purchase furniture, fixtures, and equipment, from Plano Office Supply, for the new Town Hall, at a cost not to exceed of \$400,000.00.

DRAFT MOTION: Move to approve the purchase furniture, fixtures, and equipment, from Plano Office Supply, for the new Town Hall, at a cost not to exceed of \$400,000.00.

3. Consider approval of the award of Best Value Bid No. 2018-95-B Tree Services to Arbor Masters Tree Service, and to establish an annual bid price contract for Tree Services throughout the Town in an annual estimated amount of \$50,000.00; and authorization for the Mayor to execute same on behalf of the Town. The contract is for one-year with four one-year renewal options.

DRAFT MOTION: Move to approve the award of Best Value Bid No. 2018-95-B Tree Services to Arbor Masters Tree Service, and to establish an annual bid price contract for Tree Services throughout the Town in an annual estimated amount of \$50,000.00; and authorization for the Mayor to execute same on behalf of the Town. The contract is for one-year with four one-year renewal options.

4. Consider approval of fourteen engineering firms to provide professional engineering services, and five geotechnical engineering firms to provide professional material testing services for the Town, for a two-year term ending June 18, 2020.

DRAFT MOTION: Move to approve fourteen engineering firms to provide professional engineering services, and five geotechnical engineering firms to provide professional material testing services for the Town, for a two-year term ending June 18, 2020.

5. Consider approval of the Professional Services Agreement with Mesa Design Associates, Inc., for the design services associated with the TxDOT 1171 Phase 2 Green Ribbon project, in the amount of \$40,500.00; and authorization for the Mayor to execute same on behalf of the Town.

DRAFT MOTION: Move to approve the Professional Services Agreement with Mesa Design Associates, Inc., for the design services associated with the TxDOT 1171 Phase 2 Green Ribbon project, in the amount of \$40,500.00; and authorization for the Mayor to execute same on behalf of the Town.

- 6. Item 6 was moved from Consent to Regular items
- 7. Consider approval of Amendment No. 4, to the Fiscal Year 2017-2018 Capital Improvement Program.

DRAFT MOTION: Move to approve Amendment No. 4, to the Fiscal Year 2017-2018 Capital Improvement Program.

- 8. Consider approval to award Bid No. 2018-74-B to Cam-Crete Contracting, Inc., for the Firewheel Drive Roadway project, in the amount of \$393,734.00; and authorization for the Mayor to execute same on behalf of the Town.

DRAFT MOTION: Move to approve Bid No. 2018-74-B to Cam-Crete Contracting, Inc., for the Firewheel Drive Roadway project, in the amount of \$393,734.00; and authorization for the Mayor to execute same on behalf of the Town.

- 9. Consider approval of a Construction Agreement with West Texas Rebar Placers, Inc., for Segment 1 of the Pink Evening Primrose Trail project, in the amount of \$290,586.89; and authorization for the Mayor to execute same on behalf of the Town.

DRAFT MOTION: Move to approve Construction Agreement with West Texas Rebar Placers, Inc., for Segment 1 of the Pink Evening Primrose Trail project, in the amount of \$290,586.89; and authorization for the Mayor to execute same on behalf of the Town.

Councilmember Bryant moved to approve by consent Items 1 – 5; 7 – 9. Councilmember Sharma 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: SHARMA, BRYANT, ENGEL, FOREST
NAYS: NONE
ABSENT: WEBB

Motion passed

K. REGULAR ITEMS

- 6. Consider approval of a Construction Manager at Risk Agreement for the construction of Library Expansion Project with Steele and Freeman, Inc., for a construction manager’s fee of \$632,500.00; and authorization for the Mayor to execute the same on behalf of the Town.

Staff Presentation

Mr. Bauer gave a presentation identifying or noting:

- An explanation regarding the construction manager at risk approach for the Library project, including past history with this approach and associated benefits

There was Council discussion regarding:

- A summary of the benefits gained by the Town in using this approach

Councilmember Engel moved to approve a Construction Manager at Risk Agreement for the construction of Library Expansion Project with Steele and Freeman, Inc., for a construction manager's fee of \$632,500.00; and authorization for the Mayor to execute the same on behalf of the Town. Councilmember Bryant seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: FOREST, ENGEL, BRYANT, SHARMA

NAYS: NONE

ABSENT: WEBB

10. Public Hearing to consider an application for a tree removal permit for four (4) specimen trees on the Hillside of Flower Mound residential development. The four (4) specimen trees are located at 4305 Belle Drive. (The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its June 5, 2018, meeting).

Staff Presentation

Mr. Hoefert gave a presentation identifying or noting:

- Project information
- Plot plan/Site location
- Photos of the trees requested to be removed
- Draft motion language

and he, or Mr. Meredith, responded to the following questions from Council:

- How far is tree #184 from the corner
- What is the probability that tree #'s 167 or 170 can be saved
- How far would the house need to be from tree # 170 to survive
- What are the fee and mitigation requirements
- What is the Town's ability to deny a tree removal permit if the applicant is doing all the mitigation requirements as defined in the Town's ordinance

Applicant Presentation

Reginald Rembert

Mr. Rembert did not have a formal presentation; however, he responded to the following questions or comments from Council:

- Why is the removal of the trees necessary
- Is the grading plan designed to keep #167 and #184 (so they can remain)

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

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/Questions	Opposition: Comments/Questions	Question(s)/Comments Only
Paul Stone, 4100 Broadway	None	Carol Kohankie, 4312 Lauren Way

Mayor Hayden closed the Public Hearing at 6:53 p.m.

Councilmember Bryant moved to approve an application for a tree removal permit for four (4) specimen trees on the Hillside of Flower Mound residential development. The four (4) specimen trees are located at 4305 Belle Drive. (The Environmental Conservation Commission recommended approval by a vote of 6-0-0 at its June 5, 2018, meeting). Deputy Mayor Pro Tem Forest seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: SHARMA, BRYANT, ENGEL, FOREST

NAYS: NONE

ABSENT: WEBB

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**.

No action taken.

M./N. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 6:54 p.m. on June 18, 2018, 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 7:27 p.m. on June 18, 2018, 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.

Deputy Mayor Pro Tem Forest moved to authorize staff to purchase the sanitary sewer easements, in association with the Upper Timer Creek Interceptor Phase III and IV projects, and to negotiate for the purchase of the easements up to the settlement amounts as discussed in Executive session, and to also authorize the Town Manager, or his designee, to pay all costs and execute all necessary documents associated with the purchase of the easements. Councilmember Bryant seconded the motion.

VOTE ON MOTION:
AYES: FOREST, ENGEL, BRYANT, SHARMA
NAYS: NONE
ABSENT: WEBB

Motion passed

- d. Consultation with Attorney.

No action taken.

O. ADJOURN REGULAR MEETING

Mayor Hayden adjourned the meeting at 7:29 p.m. on Monday, June 18, 2018, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

Thomas E. Hayden

THOMAS E. HAYDEN, MAYOR

ATTEST:

Theresa Scott

THERESA SCOTT, TOWN SECRETARY