

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 18TH DAY OF FEBRUARY 2019, 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:

Steve Dixon	Mayor
Jason Webb	Mayor Pro Tem
Claudio Forest	Deputy Mayor Pro Tem
Sandeep Sharma	Councilmember Place 2
Kevin Bryant	Councilmember Place 3
Jim Engel	Councilmember Place 4

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
Lexin Murphy	Director of Planning Services
Tiffany Bruce	Executive Director of Public Works
Kendall Leonard	CID Captain

A. CALL REGULAR MEETING TO ORDER

Mayor Dixon 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 Will Langstaff gave the invocation and Mayor Dixon led the pledges.

D. PRESENTATIONS

1. Proclamation for Parent Teacher Association (PTA) Founders Day.

Mayor Dixon recited the Proclamation and presented it to Julie Kluthe.

E. PUBLIC COMMENT

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.	Paul Stone, 4100 Broadway	Cabin
2.	Laura Dillon, 6013 Rock Cove	Candidacy for Town Council, Place 1
3.	Al Picardi, 1525 Lindby	Cabin

4.	Peggy Riddle, Denton County Office of History and Culture, 110 West Hickory St, Denton, Texas	Cabin
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F. ANNOUNCEMENTS

Deputy Mayor Pro Tem Forest and Councilmember Webb announced a Summit Club fundraising event scheduled for March 2nd (Western Saloon and Casino Night).

Councilmember Bryant reported on the recent ground breaking event for Fire Station # 7.

Mayor Dixon had the following announcements:

- Appreciation for the Bridlewood 2nd grade class postcard project
- February 27th is Flower Mound's 58th Anniversary

G. TOWN MANAGER'S REPORT

Mr. Stathatos reported on the following projects:

1. Capital improvement projects:
 - Fire Station 7 groundbreaking
 - Skillern Road update
 - Town-wide traffic count study underway
2. Economic Development projects:
 - Business openings, expansions, and kudos
 - New permit activity
3. Legislative updates:

Ms. Wallace provided the following information:

 - Status of Senate Bill 2/House Bill 2 and next steps
 - Denton County Days

4. Minimum housing standards

Mr. Dalton provided the following information:

- Background information and next steps
- Objective related to minimum housing standards

There was Council consensus to have a work session on the topic.

H. FUTURE AGENDA ITEMS

1. Councilmember Sharma requested Council reconsider naming Helen and Leonard John's Park to Leonard and Helen John's Park based on the family's wishes.

There was Council consensus to proceed in bringing forward a future agenda item for that purpose.

I. COORDINATION OF CALENDARS

Mayor Dixon announced that the next Town Council regular meeting is scheduled for Monday, March 4, 2019.

J. CONSENT ITEMS

1. Consider approval of the minutes from a special work session held on January 31, 2019.
2. Consider approval of the minutes from a regular meeting of the Town Council held on February 4, 2019.
3. Consider approval of the purchase of one (1) 2019 Chevrolet Tahoe RWD 9C1 Police Pursuit Vehicle per Town of Flower Mound Specifications and Quote from Holiday Ford and Holiday Chevrolet dba Johnson Grayson Automotive, Inc.
4. Consider approval of the purchase of three (3) 2019 Ford F350 Cab and Chassis, Dual Wheel with Dumpbed per Town of Flower Mound Specifications and Quote from Sam Pack's Five Star Ford.
5. Consider approval of the purchase of two (2) 2019 Ford F250 Extended Cab Pickup Trucks with options per Town of Flower Mound Specifications and Quote from Sam Pack's Five Star Ford.
6. Consider approval of Change Order No. 2 for construction of the Skillern Road project, amending the contract with Pavecon Public Works, L.P., to provide for an increase to the contract in the amount of \$35,650.98; and authorization for the Mayor to execute same on behalf of the Town
7. Consider approval of the Professional Services Agreement with Wade Trim, Inc., to provide professional engineering services, for the Peters Colony Road Roundabout, and Garden Ridge Boulevard Through Lane (at FM 3040) projects for an amount not to exceed \$155,985.00; and authorization for the Mayor to execute same on behalf of the Town.
8. Consider Approval of the purchase of traffic signal poles, in the estimated annual amount of \$400,000.00, from Consolidated Traffic Control, through the Houston-Galveston Area Council (H-GAC) contract.
9. Consider approval of the Third Amended Interlocal Agreement with the Town of Copper Canyon to provide sewer/wastewater services to areas within the Town of Copper Canyon; and authorization for the Mayor to execute same on behalf of the Town.

Mayor Pro Tem Webb moved to approve by consent Items 1 – 9, as presented in the agenda caption. Councilmember Sharma seconded the motion. Each item, as approved by consent, is restated above, and if applicable, the Ordinance or Resolution caption for each, for the record.

VOTE ON MOTION:*Motion passed.***AYES: SHARMA, FOREST, WEBB, ENGEL, BRYANT****NAYS: NONE****K. REGULAR ITEMS**

10. Public Hearing to consider a request for rezoning (ZPD18-0007 - Watermere at Flower Mound) from Agricultural District (A) to Planned Development District-167 (PD-167) with age-restricted, high-density residential and Office District (O) uses, and with certain modifications and exceptions to the Code of Ordinances, and consider adopting an ordinance providing for said amendment, subject to the terms and conditions in the attached Development Agreement, and authorization for Mayor to execute same on behalf of the Town. The property is generally located south of Dixon Lane and east of

Long Prairie Road. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its February 11, 2019, meeting.)

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Photo of the site
- Conceptual site plan – Tract 1 and 2
- Conceptual landscape plan – Tract 1 and 2
- Amenity areas – Tract 2
- Modifications request
- Exceptions request
- Conceptual elevations – Tract 1 and 2
- Senior housing overlay

and she, Ms. Bruce, Mr. Dalton, or Mr. Stathatos responded to questions from Council regarding:

- Reason for the 45' height request
- Clarification regarding the setback exception
- The property owner is the same for the adjacent lot
- Traffic concerns, particularly at the Dixon Ln and Morriss Rd intersection, and the area of the Waterford neighborhood near FM 407
- Is there a Town trail near the church
- The overlay expiration date
- The findings of the TIA, as well as the scope
- If a resident is wanting to be proactively involved try to find a way to get them more engaged in the process

There was Council discussion regarding:

- How seniors stay on major thoroughfares and don't cut through neighborhoods
- Appreciation for senior housing developments coming to Flower Mound as a result of the efforts Council put in place to make that happen
- How traffic issues will be minimal and they can be dealt with as needed at the appropriate time
- How the location is ideal for the senior project given the use of the four lane road of Dixon
- The project can't be held up based on the unknown of the remaining acres
- How senior housing has been a thought and concern for a long time
- How a senior community is different than typical apartments
- Visited the facility in Frisco and liked what they had and belief it's something that is needed for Flower Mound and something we can be proud of
- Appreciation for residents who came and spoke about the traffic concerns, as well as their thoughts regarding solutions
- The senior housing project will add value to the Town
- This development is a piece of the puzzle for the Town that allows housing options

Applicant Presentation

Paul Milosevich, Vice President of Senior Housing Development & Operations, Integrated Real Estate Group, 3110 West Southlake Blvd, Southlake, Texas

Mr. Milosevich gave a presentation identifying or noting:

- Background information about the company, including senior independent living communities in the region
- Map of the site
- Summary of discussion at P & Z
- Project summary
- Elevator locations
- Single story villas
- Typical interior courtyard
- Watermere:
 - service model
 - dining program
 - activities calendar
 - wellness program
 - indoor pool
 - Daily activities program

and he responded to the following questions from Council, and some of which were after the public hearing:

- Clarification that the same quality building in Frisco is what is planned here
- Clarification that the entire community is a rent only option and no ownership opportunities
- Will there be access to the church from the development
- What type of transportation vehicles will be used to serve the residents
- What is the feedback from the neighboring community
- What is the average age of the residents who live in the community
- When would Whyburn Drive be complete

Mayor Dixon opened the Public Hearing at 6:45 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
Denis Toth, 2620 Skelton	Ben Bumgarner, 5150 Kensington Ct	None
Carol Kohankie, 4312 Lauren Way	Adam Schiestel, 2205 Waterford Dr with donated time from: Mike Zierath, 2212 Waterford Dr	
Diane Wetherbee, 8813 Honeysuckle Dr	Jeffrey Blasko, 1720 Milford Dr	
Bryan Webb, 4112 High Rd	*Melissa Mayberry, 2537 Russwood Dr	
Mary Kay Walker, 3229 Oak Meadow		
Patsy Mizeur, 1821 Castle Ct		

Mike Wallace, 2913 Trailwood Ln		
Douglas Brown, 1721 Ingleside Dr		
Kenneth Krawczyk, 5108 Brownstone		
*Dorothy Krawczyk, 5108 Brownstone		
*Al Kavanz, 5200 Timber Lane		
*Donna Toth, 2020 Skelton St		
*Earl Blair, 2712 Stonehenge Ln		
*Chuck Worden, 1805 Strait Ln		
*Janeen Hock, 1805 Strait Lane		

**submitted a Public Comment card; however, indicated did not wish to speak*

Mayor Dixon closed the Public Hearing at 7:28 p.m.

Councilmember Bryant moved to approve as presented in the agenda caption. Deputy Mayor Pro Tem Forest seconded the motion.

ORDINANCE NO. 04-19

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 15.7527 ACRES OF LAND SITUATED IN THE EDWIN MARSH SURVEY, ABSTRACT NO. 834, FROM AGRICULTURAL DISTRICT (A) TO PLANNED DEVELOPMENT DISTRICT NO. 167 (PD-167) WITH AGE-RESTRICTED, HIGH-DENSITY RESIDENTIAL USES AND OFFICE DISTRICT (O) USES, IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; REPEALING ALL CONFLICTING 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: BRYANT, ENGEL, WEBB, FOREST, SHARMA

NAYS: NONE

Town Council recessed at 8:03 p.m. and reconvened at 8:10 p.m.

11. The second of two Public Hearings to review Chapter 50, Article III, "Offenses regarding Minors," Division 2, "Curfew" and to consider adopting an ordinance continuing the current Juvenile Curfew Ordinance in effect.

Staff Presentation

Captain Leonard gave a presentation identifying or noting:

- Statute requirements
- Curfew citations issued
- After citation is issued

and he responded to the following questions from Council:

- Clarification that the recommendation is to continue as is

Mayor Dixon opened the Public Hearing at 8:12 p.m. No one spoke in support or opposition. Mayor Dixon closed the Public Hearing at 8:12 p.m.

Councilmember Sharma moved to approve as presented in the agenda caption. Mayor Pro Tem Webb seconded the motion.

ORDINANCE NO. 05-19

AN ORDINANCE CONTINUING THE TOWN'S JUVENILE CURFEW REGULATIONS; PROVIDING THAT 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: SHARMA, FOREST, WEBB, ENGEL, BRYANT

NAYS: NONE

12. Public Hearing to consider a request for an exception to Section 90-423, "Underground utilities," of the Code of Ordinances to permit a guy-wire to remain outside of the ROW to provide overhead power service along Long Prairie Road for the Lakeside Crossing development (MISC19-0001).

Staff Presentation

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Aerial photo
- Proposed overhead power exhibit

and she, or Mr. Dalton, responded to the following questions from Council:

- Does the staff see any problem with what is proposed
- Clarification that it is just the guy wire

Mayor Dixon opened the Public Hearing at 8:16 p.m. No one spoke in support or opposition. Mayor Dixon closed the Public Hearing at 8:16 p.m.

Councilmember Bryant moved to approve as presented in the agenda caption. Deputy Mayor Pro Tem Forest seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: BRYANT, ENGEL, WEBB, FOREST, SHARMA

NAYS: NONE

13. Consider approval of a Professional Services Agreement for design services for the restoration of the Gibson Grant Log Cabin Phase I with McCoy Collaborative Preservation Architecture, PLLC., for \$88,020 and authorization for the Mayor to execute the same on behalf of the Town.

Staff Presentation

Ms. Wallace did not have a formal presentation; however, she responded to questions or comments made by Council or during the public comment portion of the meeting as follows:

- Advisory Committee and reporting
- Goal of Phase I
- Why initially pulled off of consent and interest in getting a full update about the direction the Town is going
- Is the total in Phase I the design and construction
- Does the PSA address who gets the construction award

There was Council discussion regarding:

- How this Phase will kick start the ability to create grants
- Opportunity to look at the designs before a construction agreement is awarded

Councilmember Bryant moved to approve as presented in the agenda caption. Deputy Mayor Pro Tem Forest seconded the motion.

VOTE ON MOTION:**AYES: SHARMA, FOREST, WEBB, ENGEL, BRYANT****NAYS: NONE***Motion passed.***L./M. CLOSED/OPEN MEETING**

The Town Council did not convene into a closed meeting. Therefore, no action was taken on the following items:

- a. Consultation with Attorney.
- 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.
- 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.
- d. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, hospitality projects, and performance related to certain incentive agreements.

N. ADJOURN REGULAR MEETING

Mayor Dixon adjourned the meeting at 8:23 p.m. on Monday, February 18, 2019, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

Steve Dixon

STEVE DIXON, MAYOR

ATTEST:

Theresa Scott

THERESA SCOTT, TOWN SECRETARY