

**THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 15<sup>TH</sup> DAY OF JULY 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
Sandeep Sharma	Mayor Pro Tem
Claudio Forest	Deputy Mayor Pro Tem
Jim Pierson	Councilmember Place 1
Ben Bumgarner	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
JP Walton	Assistant to the Town Manager

**A. CALL REGULAR MEETING TO ORDER**

Mayor Dixon 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 Mike Liles gave the invocation and Mayor Dixon led the pledges.

**D. PRESENTATIONS**

1. Certificate of Achievement for Abhijay Kodali 2019 Scripps National Spelling Bee Co-Champion

Mayor Dixon presented Abhijay Kodali with a Certificate of Achievement for this accomplishment.

**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.*

	<b>Speaker names and address</b>	<b>Subject (as written on the form)</b>
1.	Pete Sogard, 3412 Darcey Ct	1) Senior citizen property tax freeze 2) Airline flights outside of flight path 3) Gravel truck traffic on Flower Mound Rd

2.	Carol Kohankie, 4312 Lauren Way	Alternate parking in older neighborhoods
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Mayor Dixon provided statements of fact regarding property tax exemptions, and DFW traffic patterns.

#### **F. ANNOUNCEMENTS**

Councilmember Engel announced that the LISD School Fair is scheduled for August 3<sup>rd</sup> and mentioned there is a need for doctors and nurses to perform physicals for families that don't have the financial resources to visit a regular doctor.

Councilmember Pierson and Mayor Dixon expressed appreciation for all the work done that resulted in another successful Independence Fest.

Mayor Dixon reported on a recent home fire in his neighborhood. He expressed appreciation for the Town's first responders as well as the community support.

#### **G. TOWN MANAGER'S REPORT**

Mr. Stathatos provided an update on the following projects:

1. Capital improvement projects
  - FM 1171 at River Walk intersection improvement
  - Aberdeen Drive, Phase I
  - Morriss Road
2. Economic Development projects
  - New businesses that opened or coming soon
3. Other
  - Ms. Bruce provided an update on Fairway Drive.

#### **H. FUTURE AGENDA ITEMS**

1. Councilmember Engel requested a presentation regarding mutual aid services that the Town provides, and there was Council consensus to proceed.

#### **I. COORDINATION OF CALENDARS**

1. The next Town Council regular meeting is scheduled for Monday, August 5, 2019.

Mayor Dixon announced the next regular meeting is scheduled for August 5, 2019.

2. Discuss and consider date options for joint work session with Parks Board.

There was Council discussion regarding date options, followed by Council consensus to proceed with the October 17<sup>th</sup> date (regular Council work session).

**J. CONSENT ITEMS**

1. Consider approval of the minutes from a regular meeting of the Town Council held on June 17, 2019.
2. Consider approval of the minutes from a Strategic Planning Session of the Town Council held on June 21, 2019.
3. Consider approval of an ordinance amending the Town of Flower Mound's Annual Budget for the fiscal year beginning October 1, 2018, and ending on September 30, 2019, as adopted by Ordinance No. 30-18 and amended by Ordinance No. 39-18 for adjustments to the General Fund and Technology Replacement Fund.

**ORDINANCE NO. 25-19**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2018, AND ENDING ON SEPTEMBER 30, 2019, AS ADOPTED BY ORDINANCE NO. 30-18 AND AMENDED BY ORDINANCE NO. 39-18, BY PROVIDING FOR ADJUSTMENTS TO THE GENERAL FUND, TECHNOLOGY REPLACEMENT FUND, AND TREE PRESERVATION FUND; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

4. Consider approval of Change Order No.1 for the Town Hall project, to the Construction Agreement with Steele Freeman Inc., in the amount of \$40,085.73; and authorization for the Mayor to Execute same on behalf of the Town.
5. Consider approval of a Railroad Commission of Texas Agreed Settlement and Consent Order resulting from an expired utility locate while conducting a water line repair on January 7, 2019; and authorization for the Mayor to execute same on behalf of the Town.
6. Consider approval of a Resolution and Agreement with the Union Pacific Railroad to pay for work required for train preemption of the traffic signal at US 377 and Canyon Falls Drive and authorization for the Mayor to execute the same on behalf of the Town.

**RESOLUTION NO. 10-19**

**A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING EXECUTION OF THE CANYON FALLS SIGNAL DRIVE INTERCONNECT PREEMPTION AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

7. Consider approval of an amendment of the Axon Enterprise, Inc, Master Service Agreement, for the acquisition of in car video camera products and storage; and authorization for the Mayor to execute same on behalf of the Town.
8. Consider approval of an Ordinance amending Chapter 14, "Buildings and Building Regulations," Article II, of the Code of Ordinances of the Town of Flower Mound, to provide for the adoption of the 2018 edition of the International Building Code and local amendments thereto.

**ORDINANCE NO. 28-19**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 14, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE II, OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TO PROVIDE FOR THE ADOPTION OF THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE AND LOCAL AMENDMENTS THERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.**

9. Consider approval of an Ordinance amending Chapter 14, "Buildings and Building Regulations," Article III, of the Code of Ordinances of the Town of Flower Mound, to provide for the adoption of the International Plumbing Code, 2018 edition, and the International Fuel Gas Code, 2018 edition and local amendments thereto.

**ORDINANCE NO. 29-19**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 14, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE III, OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TO PROVIDE FOR ADOPTION OF THE INTERNATIONAL PLUMBING CODE, 2018 EDITION, AND THE INTERNATIONAL FUEL GAS CODE, 2018 EDITION AND LOCAL AMENDMENTS THERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

10. Consider approval of an Ordinance amending Chapter 14, "Buildings and Building Regulations," Article IV, of the Code of Ordinances of the Town of Flower Mound, to provide for the adoption of the International Mechanical Code, 2018 edition, and local amendments thereto.

**ORDINANCE NO. 30-19**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 14, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE IV, OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TO PROVIDE FOR ADOPTION OF THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION, AND LOCAL AMENDMENTS THERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

11. Consider approval of an Ordinance amending Chapter 14, "Buildings and Building Regulations," Article XIV, of the Code of Ordinances of the Town of Flower Mound, to provide for the adoption of the International Residential Code, 2018 edition, and local amendments thereto.

**ORDINANCE NO. 31-19**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 14, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE XIV, OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TO PROVIDE FOR ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION, AND**

**LOCAL AMENDMENTS THERETO; PROVIDING THAT THE BOARD OF ADJUSTMENT SHALL BE THE BOARD OF APPEALS FOR PURPOSES SET OUT HEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

12. Consider approval of an Ordinance amending Chapter 14, "Buildings and Building Regulations," Article XV, of the Code of Ordinances of the Town of Flower Mound, to provide for the adoption of the International Energy Conservation Code, 2018 edition, and local amendments thereto.

**ORDINANCE NO. 32-19**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 14, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE XV, OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TO PROVIDE FOR ADOPTION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION, AND LOCAL AMENDMENTS THERETO; PROVIDING THAT THE BOARD OF ADJUSTMENT SHALL BE THE BOARD OF APPEALS FOR PURPOSES SET OUT HEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

13. Consider approval of an ordinance amending Chapter 38 of the code of ordinances, entitled "Fire Prevention and Protection" to provide for adoption of the International Fire Code, 2018 edition and local amendments thereto.

**ORDINANCE NO. 33-19**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 38 OF THE CODE OF ORDINANCES, ENTITLED "FIRE PREVENTION AND PROTECTION" TO PROVIDE FOR ADOPTION OF THE INTERNATIONAL FIRE CODE, 2018 EDITION AND LOCAL AMENDMENTS THERETO: REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

14. Consider approval of emergency expenditures with Excel Aircraft LLC dba Excel Trenching, for the emergency repair of the Timber Creek Aerial Sanitary Sewer Crossing, in the amount of \$116,100.00.
15. Consider approval of a Professional Services Agreement with ECS Southwest LLC, to provide construction materials engineering and testing, for the Upper Timber Creek Interceptor Phase III & IV project, in the amount of \$61,990.00; and authorization for the Mayor to execute same on behalf of the Town.
16. Consider approval of a Construction Agreement with XIT Paving & Construction, Inc., for the FM 1171 at River Walk Drive Intersection Improvements project, in the amount of \$473,519.25; and authorization for the Mayor to execute same on behalf of the Town.

17. Consider approval of a Local Project Advance Funding Agreement, for Voluntary Local Government Contributions to Transportation Improvement Projects, with the Texas Department of Transportation (TxDOT) to pay for work required to complete the FM 1171 TxDOT Green Ribbon Project, in the amount of \$18,853.29; and authorization for the Mayor to execute the same on behalf of the Town.

Deputy Mayor Pro Tem Forest moved to approve by consent Items 1 – 17, as presented in the agenda caption. Mayor Pro Tem 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: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER**

**NAYS: NONE**

**K. REGULAR ITEMS**

Mayor Dixon opened items 18 and 19 at the same time.

18. Public Hearing to consider a request for a Master Plan Amendment (MPA18-0007-Highland Pointe Park) to amend Section 1.0, Land Use Plan, of the Master Plan to change the current land use designation from Medium Density Residential to Retail uses, and consider adopting an ordinance providing for said amendment. The property is generally located north of Valley Ridge Boulevard and east of Morriss Road. (The Planning and Zoning Commission recommended approval by a vote of 7 to 0 at its May 13, 2019, meeting.)

**Staff Presentation**

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location of the site
- Land use and zoning
- Exceptions requested
- Site photos
- Master Plan and zoning designation exhibit
- Site/landscape plan
- Conceptual elevations
- Resident concerns (letter from Grand Park Estates HOA)
- Retail – 2 Use
- P & Z Recommendation

and she responded to the following questions from Council:

- What was the HOA's objection to the 6 foot fence
- Was additional screening around the dumpsters discussed with the neighborhood
- Would the applicant be acceptable to using one versus two dumpsters
- What is the area behind where the dumpsters are to be located
- When there are new developments like this, isn't there a required connection to the adjacent property (i.e. Driver's Edge next door)

**Applicant Presentation**

Patricia Fant, G & A McAdams, 111 Hillside Drive, Lewisville

Ms. Fant gave a presentation identifying or noting:

- Background information regarding her client
- Timeline of the project
- Land use and zoning, including permitted uses
- Aerial of site
- Concept plan
- 3D Aerial
- Exceptions (Masonry wall and detention pond)
- Landscape plan
- Elevations
- Proposed permitted and specific uses

and she responded to the following questions from Council:

- When they relocate will they change their name to Flower Mound Pointe
- Has contact been made with the home owner behind the retaining wall
- Clarification regarding existing and new trees by the residential lot
- Why is a dry pond instead of a wet pond being requested

Mayor Dixon opened the Public Hearing for items 18 and 19 at 6:57 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.*

<b>Support: Comments/Questions</b>	<b>Opposition: Comments/Questions</b>	<b>Question(s)/Comments Only</b>
Larry Patterson (Faith Lutheran Church - President, Congregation Council), 6000 Morriss Rd	None	None
Austin Adams, 695 Timber Bend, Highland Village		
Brian Weaver, 3605 Parkside Pl		
Chris Carmichael (business owner), 2250 Justin Rd, Ste 140, Highland Village		
Pat Uszler, 330 Valley View Trail, Double Oak*		
Caryn Patterson, 333 Mayfair, Highland Village*		
Louis Jensen, 2500 Russwood Dr*		
Jeff Gappinger, 3303 Pecan Dr*		
Christopher C. Forte, 1709 Glen Aerie, Corinth		
Jerry Gray, 2433 Timber Ridge Ln*		
Jerrold Simmons, 4201 Brazoria Dr, Prosper*		
Colleen Jensen, 2500 Russwood Dr*		
Ransom Alexander, 1216 5 <sup>th</sup> St, Argyle*		

*\*submitted a public comment form and indicated do not wish to speak but to record their support*

Mayor Dixon closed the Public Hearing for items 18 and 19 at 7:08 p.m.

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

#### ORDINANCE NO. 34-19

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 1.0, LAND USE PLAN, OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, SPECIFICALLY TO CHANGE THE CURRENT LAND USE REFLECTED ON THE LAND USE PLAN MAP FROM MEDIUM DENSITY RESIDENTIAL TO RETAIL ON APPROXIMATELY 1.755 ACRES OF LAND SITUATED IN THE E. SMITH SURVEY, ABSTRACT NUMBER 767, AND BEING PART OF LOT 1, BLOCK A, FAITH LUTHERAN CHURCH OF FLOWER MOUND; 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:**

*Motion passed*

**AYES: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON**

**NAYS: NONE**

19. Public Hearing to consider a request for rezoning (ZPD18-0011 - Highland Pointe Park) to amend Planned Development District No. 19 (PD-19) with Office District (O) uses to Planned Development District No. 19 (PD-19) with Retail District-2 (R-2) uses on certain tract of land, to add the conceptual plans and elevations, to modify the development standards, request an exception to Section 82-302, Compatibility buffer, of the Code of Ordinances, and request certain modifications and exceptions to the Code of Ordinances as related to the subject property, and consider adopting an ordinance providing for said amendment. The property is generally located north of Valley Ridge Boulevard and east of Morriss Road. (The Planning & Zoning Commission recommended approval by a vote of 7 to 0 at its May 13, 2019, meeting.)

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

#### ORDINANCE NO. 35-19

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 26-84 AS AMENDED WHICH ESTABLISHED PLANNED DEVELOPMENT DISTRICT NO. 19 (PD-19) ON CERTAIN PROPERTY DESCRIBED AS 1.755 ACRES OF LAND SITUATED IN THE E. SMITH SURVEY, ABSTRACT NUMBER 767, AND BEING PART OF LOT 1, BLOCK A, FAITH LUTHERAN CHURCH OF FLOWER MOUND; AND CHANGING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS ON THAT LAND FROM PLANNED DEVELOPMENT DISTRICT NO. 19 (PD-19) WITH OFFICE DISTRICT (O) USES TO PLANNED DEVELOPMENT DISTRICT NO. 19 (PD-19) WITH RETAIL DISTRICT-2 (R-2) USES; BY ADDING DEVELOPMENT STANDARDS, CONCEPTUAL PLANS, AND ELEVATIONS, 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: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON**

**NAYS: NONE**

20. Consider a request for a Development Plan (DP19-0002 – Magnolia Court) to develop a residential subdivision. The property is generally located on the northwest corner of Gerault Road and Spinks Road. (The Planning and Zoning Commission recommended approval by a vote of 7 to 0 at its June 24, 2019, meeting.)

**Staff Presentation**

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Site photos
- Landscape plan

and she responded to the following questions from Council:

- What is different from when this item previously came before Council
- If there is a sidewalk along Gerault
- Clarification that the pond is a standard wet pond with no specific amenities

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

**VOTE ON MOTION:**

*Motion passed*

**AYES: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER**

**NAYS: NONE**

21. Public Hearing to consider a request for rezoning (Z19-0002 – Conservatory Estates) from Planned Development District No. 140 (PD-140) for a cluster development to Agricultural District (A), and to consider adopting an ordinance providing for said amendment. The property is generally located west of Freeman Road and north of Cross Timbers Road. (The Planning and Zoning Commission recommended approval by a vote of 7 to 0 at its June 24, 2019, meeting.)

**Staff Presentation**

Ms. Murphy gave a presentation identifying or noting:

- General and detailed location
- Land use and zoning
- Site photographs
- Previously approved concept plan

Mayor Dixon opened the Public Hearing at 7:16 p.m. No one spoke in support or opposition. Mayor Dixon closed the Public Hearing at 7:16 p.m.

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

#### ORDINANCE NO. 36-19

**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 103.225 ACRES OF LAND SITUATED IN THE NATHANIEL E. THOMPSON SURVEY, ABSTRACT NUMBER 1270, FROM PLANNED DEVELOPMENT DISTRICT NO. 140 (PD-140) FOR SINGLE FAMILY RESIDENTIAL USES WITH CLUSTER DEVELOPMENT STANDARDS TO AGRICULTURAL DISTRICT (A) 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 IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**VOTE ON MOTION:**

*Motion passed*

**AYES: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON**

**NAYS: NONE**

Mayor Dixon announced that the applicant has requested postponement of items 22 and 23 until August 5, 2019.

22. Public Hearing to consider a request for a Specific Use Permit No. 457 (SUP19-0002 – Lakeside Crossing Building 5) to permit a pharmacy, and to consider adopting an ordinance providing for said amendment. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its June 10, 2019, meeting) (The Town Council moved on June 17, 2019 to postpone until the July 15, 2019, meeting)
23. Consider a request for a Site Plan (SP19-0001 Lakeside Crossing Buildings 4 & 5, Phase 2) to develop two retail buildings. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive. (The Planning and Zoning Commission recommended approval by a vote of 5 to 1 at its June 10, 2019, meeting) (The Town Council moved on June 17, 2019 to postpone until the July 15, 2019, meeting)

Deputy Mayor Pro Tem Forest moved to postpone items 22 and 23 (Lakeside Crossing), including the Public Hearing, to August 5, 2019. Councilmember Engel seconded the motion.

**VOTE ON MOTION:**

*Motion passed*

**AYES: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER**

**NAYS: NONE**

24. Consider approval of an ordinance authorizing the issuance of the Town of Flower Mound, Texas, Certificates of Obligation, Series 2019, establishing parameters for the sale and issuance of such bonds, delegating certain matters to an authorized official of the Town and resolving all matters incident and related thereto.

**Staff Presentation**

Ms. Wallace provided background information and explained the purpose of the item.

**Consultant Presentation**

John Martin, Hilltop Securities

Mr. Martin provided financial information specific to the actual sale and highlighted aspects of the report regarding the Town's financial position, including the Town's overall credit profile and key ratios, and he responded to the following questions from Council:

- What are some of the changes being seen that could shift the dynamics in finance

**Council Discussion**

There was Council discussion regarding:

- Kudos to the Finance Department on the Financial Officers of Texas Award
- Given the impact of SB 2 there will be a need to closely manage debt and debt service
- How the AAA rating is great but the Town can do better

Deputy Mayor Pro Tem Forest moved to approve item 24 as presented in the agenda caption. Councilmember Engel seconded the motion.

**ORDINANCE NO. 26-19**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2018, AND ENDING ON SEPTEMBER 30, 2019, AS ADOPTED BY ORDINANCE NO. 30-18 AND AMENDED BY ORDINANCE NO. 39-18, BY PROVIDING FOR ADJUSTMENTS TO THE GENERAL FUND, TECHNOLOGY REPLACEMENT FUND, AND TREE PRESERVATION FUND; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**VOTE ON MOTION:**

*Motion passed*

**AYES: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON**

**NAYS: NONE**

25. Consider approval of an ordinance authorizing the issuance of the Town of Flower Mound, Texas, Special Assessment Revenue Refunding Bonds, Series 2019 (River Walk Public Improvement District No. 1), establishing parameters and delegating matters relating to the sale and issuance of said bonds to an authorized Town official; and approving and authorizing related agreements.

**Staff Presentation**

Ms. Wallace provided background information and explained the purpose of the item.

**Consultant Presentation**

John Martin, Hilltop Securities

Mr. Martin provided background information and noted these are special bonds and only impacts the people who reside in the district, and he responded to the following questions from Council:

- Clarification regarding what the Town is currently paying and what is the expectation
- Clarification regarding what's involved on the refinancing aspect

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

**ORDINANCE NO. 27-19**

**AN ORDINANCE APPROVING AND AUTHORIZING THE ISSUANCE OF THE TOWN OF FLOWER MOUND, TEXAS, SPECIAL ASSESSMENT REVENUE REFUNDING BONDS, SERIES 2019 (RIVER WALK PUBLIC IMPROVEMENT DISTRICT NO. 1); ESTABLISHING PARAMETERS AND DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF SAID BONDS TO AN AUTHORIZED TOWN OFFICIAL; AND APPROVING AND AUTHORIZING RELATED AGREEMENTS.**

**VOTE ON MOTION:**

*Motion passed*

**AYES: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER**

**NAYS: NONE**

26. Consider adoption of the Town Council 2019 Strategic Planning Session (SPS) Summary Report.

**Staff Presentation**

Mr. Walton presented the SPS summary report, including a list of discussion topics and subsequent Council direction received.

Ms. Wallace provided background information on the Town's audit process and inquired about Council's interest regarding any changes in that area. Mr. Stathatos also provided background information and indicated that staff is trying to understand what Council wants in order to outline the scope of work in an RFP.

There was Council discussion regarding:

- Not interested in having an additional layer to what exist already; however, more on the lines of a big picture and high level perspective as it relates to a long term plan and Council would make the selection of that group based on an RFP
- Interest in having a holistic view of current and future financial impacts so the Town is not reactive in a crisis situation

- If there is a financial expert in budgets and economy have them look at it from a Town's perspective and not necessarily from a Wall Street perspective
- Outreach efforts to identify if there is a consultant out there that provides this type of service
- The possibility of the Town being a financial participate to offer some relief to residents as it relates to the Town's perimeter fence ordinance requirements, particularly for the older non-HOA neighborhoods
- Request for information to be sent to Council regarding the fence and sidewalk replacement program (what it is and what it does)
- CIP aspects in the SPS needs to be elevated

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

**VOTE ON MOTION:**

*Motion passed*

**AYES: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON**

**NAYS: NONE**

**L. BOARDS/COMMISSIONS (Pre-Council 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 8:06 p.m. on July 15, 2019, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections 551.071, 551.072, 551.074, and 551.087 for consultation with attorney, and to discuss matters relating to real property, personnel, and economic development negotiations, and reconvened into an open meeting at 8:38 p.m. on July 15, 2019, to take action on the items as follows:

a. Consultation with Attorney.

1. Senate Bill 1152, relating to the payment of certain fees to municipalities by entities that provide telecommunications and cable or video services.

Councilmember Engel moved to retain outside counsel as discussed in Executive Session. Deputy Mayor Pro Tem Forest seconded the motion.

**VOTE ON MOTION:**

*Motion passed*

**AYES: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER**

**NAYS: NONE**

2. Lakeside Crossing 380 Agreement.

- 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. 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.

**O. ADJOURN REGULAR MEETING**

Mayor Dixon adjourned the meeting at 8:38 p.m. on Monday, July 15, 2019, and all were in favor.

**TOWN OF FLOWER MOUND, TEXAS**

*Steve Dixon*

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**STEVE DIXON, MAYOR**

**ATTEST:**

*Theresa Scott*

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**THERESA SCOTT, TOWN SECRETARY**