

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 18TH DAY OF NOVEMBER 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:

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

with the following member absent:

Steve Dixon	Mayor
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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
Tommy Dalton	Assistant Town Manager
Andrea Roy	Economic Development Director
Brian Waltenburg	Assistant Director of Engineering

A. CALL REGULAR MEETING TO ORDER

Mayor Pro Tem Sharma 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 Russ McNamer gave the invocation and Mayor Pro Tem Sharma led the pledges.

D. 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	Items 3 and 7

E. PRESENTATIONS

1. Small Business Saturday (November 30, 2019) Proclamation

Ms. Roy recited the proclamation and Mayor Pro Tem Sharma presented it to her.

F. ANNOUNCEMENTS

Councilmember Bumgarner provided information about the Animal Services Paws and Claws annual fundraiser starting December 1st.

Councilmember Engel offered congratulations to both Flower Mound and Marcus High School football teams for making it into round 2 of the Texas high school playoffs.

Several members of Council expressed well wishes for a Happy Thanksgiving.

G. TOWN MANAGER'S REPORT

Mr. Stathatos provided an update on the following projects:

1. Capital improvement projects
 - Peters Colony roundabout
 - Garden Ridge Bldg. thru lane
2. Economic Development projects
 - New businesses that are now open or coming soon

H. FUTURE AGENDA ITEMS

1. No request for future agenda items.

I. COORDINATION OF CALENDARS

A regular meeting is scheduled for Monday, December 2.

Mayor Pro Tem Sharma announced the above referenced meeting date. Deputy Mayor Pro Tem Forest indicated he will not be at that meeting.

J. CONSENT ITEMS

1. Consider approval of the minutes from a regular meeting of the Town Council held on November 4, 2019.
2. Consider approval of an ordinance canvassing returns and declaring results of a Special election held November 5, 2019, for the purpose of considering a ballot proposition for the reauthorization of the municipal sales and use tax for street maintenance and repair in the Town of flower Mound at the rate of one-quarter of one percent to continue providing revenue for maintenance and repair of municipal streets; and providing an effective date.

ORDINANCE NO. 57-19

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF A SPECIAL ELECTION HELD NOVEMBER 5, 2019, FOR THE PURPOSE OF CONSIDERING A BALLOT PROPOSITION FOR THE REAUTHORIZATION OF THE MUNICIPAL SALES AND USE TAX FOR STREET MAINTENANCE AND REPAIR IN THE TOWN OF FLOWER MOUND AT THE RATE OF ONE-QUARTER OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; AND PROVIDING AN EFFECTIVE DATE.

Item #3 pulled from consent

4. Consider approval of the purchase of (2) new 2020 Chevrolet Tahoe RWD 9C1 Police Pursuit Vehicles with Equipment Installed per Town of Flower Mound Specifications and Vendor Quote from Holiday Chevrolet and Upfit Equipment/Installation Quotes with Specifications from Defender Supply for Police Services in the amount of \$114,265.00.
5. Consider approval of the purchase of (8) new Dodge Charger Police Pursuit Vehicles with Equipment Installed per Town of Flower Mound Specifications and Vendor Quote from Grapevine Dodge Chrysler Jeep and Upfit Equipment/Installation Quotes with Specifications from Defender Supply for Police Services in the amount of \$245,264.00.
6. Consider approval of a Professional Services Agreement with Kimley Horn and Associates, Inc., to provide traffic signal designs for the FM 2499 at Chaparral Lane; FM 2499 at Churchill Drive; and Flower Mound Road at McKamy Creek Road projects in the amount of \$57,000; and authorization for the Mayor to execute same on behalf of the Town.

Item #7 pulled from consent

8. Consider approval of a Professional Services Agreement for the design phase services for the Lift Station Improvements and Decommissioning Phase II project, with Plummer Associates, Inc., for \$276,500; and authorization for the Mayor to execute same on behalf of the Town.

Deputy Mayor Pro Tem Forest moved to approve by consent Items 1-2, 4-6, 8, as presented in the agenda caption. Councilmember Bumgarner 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: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON****NAYS: NONE****K. REGULAR ITEMS**

3. Consider approval of a resolution adopting rules regarding the public's right to address the governing body, including Town Council and all boards and commissions.

Mr. Meredith provided legal background regarding the right to speak rules as part of the new legislation. Ms. Scott provided background information about the current form language and why the submittal deadline changed from 6:10 to 6:00 p.m.

Council Discussion

There was Council discussion to modify the language in the resolution (Section 1; 2(a) as requested during public comment as follows:

From: Turn in this form to the Town Secretary or Board Liaison before the time of the meeting is scheduled to begin

To: Turn in this form to the Town Secretary or Board Liaison prior to the time the meeting is scheduled to begin and up to when the public comment portion of the meeting has concluded.

RESOLUTION NO. 26-19

A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS, ADOPTING RULES REGARDING THE PUBLIC'S RIGHT TO ADDRESS THE GOVERNMENTAL BODY, INCLUDING TOWN COUNCIL AND ALL BOARDS AND COMMISSIONS.

Councilmember Engel moved to approve as presented; however, with an amendment to 2(a) to adjust the time from turning the form in before the time the meeting is scheduled to begin up to when public comment has completed. Councilmember Bumgarner seconded the motion.

VOTE ON MOTION:*Motion passed***AYES: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER****NAYS: NONE**

Item #7 pulled from consent

7. Consider approval of a Professional Services Agreement with Criado & Associates, Inc., for the design phase services associated with the Blue Ridge Trail Reconstruction project, in the amount of \$48,880.00; and authorization for the Mayor to execute same on behalf of the Town.

Mr. Waltenburg provided background information regarding the item, and he responded to questions from Council regarding:

- How Blue Ridge Trail is a road reconstruction project and not a trail.

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

VOTE ON MOTION:*Motion passed***AYES: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON****NAYS: NONE**

9. Public Hearing to consider approval of an Agreed Termination of a Chapter 380 Agreement, Release of Lien, and Escrow Agreement, between the Town of Flower Mound and Old Town Development LLC, and authorization for the Mayor to execute same on behalf of the Town.

Staff Presentation

Ms. Roy gave a presentation identifying or noting:

- Mi Dia project history
- Old Town Development financing
- Current request summary, including Chapter 380 termination, release of lien, and escrow agreement (revised)

Mayor Pro Tem Sharma opened the public hearing for this item at 6:24 p.m. No one spoke. Mayor Pro Tem Sharma closed the public hearing at 6:24 p.m.

Administrative Note: Public Hearing was satisfied at the November 4, 2019 Town Council meeting.

VOTE ON MOTION:*Motion passed***AYES: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER****NAYS: NONE**

10. Consider approval of a resolution casting the vote of the Town of Flower Mound, Texas, for the election of the Board of Directors of the Denton Central Appraisal District (DCAD).

Staff Presentation

Ms. Scott provided background information on the item and responded to questions from Council regarding:

- How close have the results been historically

Council Discussion

There was Council discussion regarding:

- What is the benefit for the Town in making these selections
- Possibility of dividing the votes amongst the Town of Flower Mound residents that were previously nominated
- How expanding the vote to more individuals dilutes the overall vote

Deputy Mayor Pro Tem Forest moved to approve the resolution as presented with the allocation of Flower Mound votes as follows:

Sharon Gentry – 40

Bryan Webb – 40

Mike Stallings - 39

Councilmember Pierson seconded the motion.

RESOLUTION NO. 27-19

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, CASTING THE TOWN OF FLOWER MOUND'S ONE HUNDRED NINETEEN (119) ALLOCATED VOTES FOR THE ELECTION OF THE BOARD OF DIRECTORS FOR THE DENTON CENTRAL APPRAISAL DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION:

Motion passed

AYES: BUMGARNER, FOREST, SHARMA, ENGEL, PIERSON

NAYS: NONE

L./M. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 6:31 p.m. on November 18, 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 7:26 p.m. on November 18, 2019, to take action on the items as follows:

- a. Consultation with Attorney.

- 1. Firefighter claim and settlement matters related thereto

Councilmember Engel moved to approve the settlement agreement as discussed in closed session. Deputy Mayor Pro Tem Forest seconded the motion.

VOTE ON MOTION:

Motion passed

AYES: PIERSON, ENGEL, SHARMA, FOREST, BUMGARNER

NAYS: NONE

- 2. Chapter 380 Agreement between the Town and Lakeside Crossing Land Partners, LP

No action taken.

- b. Discuss and consider purchase, exchange, lease or value of real property for parks, cultural arts center, and/or other municipal purposes and all matters incident and related thereto.

No action taken.

- c. Discuss and consider economic development incentives, including retail centers, corporate relocation/expansion/retention, senior housing, hospitality projects, and performance related to certain incentive agreements.

No action taken.

N. ADJOURN REGULAR MEETING

Mayor Pro Tem Sharma adjourned the meeting at 7:27 p.m. on Monday, November 18, 2019, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



SANDEEP SHARMA, MAYOR PRO TEM

ATTEST:

Theresa Scott

THERESA SCOTT, TOWN SECRETARY