

THE FLOWER MOUND TOWN COUNCIL AND TRANSPORTATION COMMISSION JOINT
WORK SESSION MEETING HELD ON THE 17th DAY OF JANUARY, 2013, 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.

The Town Council met in a work session with the following members present:

Tom Hayden	Mayor
Kendra Stephenson	Mayor Pro Tem
Mark Wise	Deputy Mayor Pro Tem
Bryan Webb	Councilmember Place 2
Steve Dixon	Councilmember Place 4

With the following members absent:

Jean Levenick	Councilmember Place 5
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The Transportation Commission met in a work session with the following members present:

Thomas Walker	Chair
Stephen Harris	Vice Chair
Todd Schreiber	Place 1
Stephen Harris	Place 2
Martin McIntire	Place 3
Kevin Stoelting	Place 4
Tony Mowles	Place 5
Frederick Ehler	Place 6
Chris Reed	Place 8, Alternate
Peter Herrera	Place 9, Alternate

constituting a quorum with the following members of the Town Staff participating:

Theresa Scott	Town Secretary
Jimmy Stathatos	Town Manager
Kent Collins	Assistant Town Manager
Doug Powell	Executive Director of Development Services
Ken Parr	Director of Public Works
Matt Hotelling	Traffic Engineer
Matt Woods	Director of Environmental Services

A. CALL WORK SESSION TO ORDER

Mayor Hayden called the work session to order at 6:05 p.m.

B. INVOCATION

Chaplain Mike Liles gave the invocation.

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG

Troop 280, and Troop 2 led the pledges.

D. WORK SESSION ITEM

1. Discuss and consider matters related to Transportation Commission structure, TxDOT projects such as FM 407 and FM 1171; bike lanes; sidewalk gaps on arterial and collector streets; the Town's proposed funding of capital improvement projects listed on the Town's approved Five-Year Capital Improvement Projects Plan, including currently programmed streets, as well as those soon to begin or near or at completion such as West Windsor, and Wichita Trail; including a review of and the effectiveness of the Street Maintenance Program (dedicated sales tax); the Town's Complete Streets plan; and the Town's Thoroughfare Master Plan.

Mr. Parr stated or noted the following:

- purpose of the agenda item is to give Council and the Transportation Commission an agenda in which they can discuss past accomplishments of the Commission as well as to get direction for the next year
- summary of items covers the broad list of accomplishments in the last year and the possibility of items they will be addressing in the next or a future year
- during the last Transportation Commission a history of Sagebrush between FM 2499 and Old Settlers (unimproved portion) was provided by staff. At the conclusion of that discussion there were some residents present representing both support and opposition of the improvement to Sagebrush
- at the direction of Councilmember Jean Levenick staff took traffic counts and looked at levels of service for this section of Sagebrush. He indicated Matt Hotelling is available to provide the results of that study should Council wish to discuss

Mayor Hayden extended the opportunity for the public to speak either in favor or against the Sagebrush item.

Stacey Jarmon, 3108 Jaclamo St, Flower Mound, TX

Ms. Jarmon indicated she spoke at the Transportation Commission and stated she is here tonight, along with several other residents from Sagebrush, to talk about a few main concerns having to do with safety and infrastructure support now for the current traffic that is on Sagebrush and what we see as happening in the future, and how it affects our neighborhood. She described the road as being a very narrow black top road with a blind spot and a hill, and a deep drainage ditch on each side, and a dip in the road as well. She pointed out it supports a great deal of traffic, many of which are inexperienced drivers who are high school students, as well as larger vehicles such as buses and UPS and garbage trucks. She indicated having seen a UPS driver go off the road and into one of those drainage ditches. He was unable to get out because people drive in the middle of the road due to their fear of going off into the drainage ditch. It supports a lot of traffic at peak times because there are three schools on Old Settlers and Sagebrush has become a feeder road to FM 2499. The other thing is there is no area for pedestrians or bikers, and noted she has seen cars pass bikers on blind hills. Speeding is also a problem. I have seen when high school lets out and it backs up on Sagebrush to FM 2499 because there is not a right hand turn lane to get onto FM 2499. Drivers go down the wrong side of the road to go into that commercial office building to cut through that parking lot to get to FM 2499. That is what is happening today. It's not a residential road anymore. What is going to happen is ever increasing traffic and there are no curbs on that road to protect you from going off

the side of the road. Future demands are an issue with the future LISD 9th grade expansion right there - which would drop you at the point of Sagebrush and Old Settlers. LISD has feeder schools that feed into Flower Mound High School. There are vacant lots to be developed so there is ever increasing traffic along that road. There are 258 vacant developed lots and the potential of 537 future and preliminary lots. Traffic is going to continue to increase on Old Settlers and Sagebrush and it needs to continue to be a feeder road in to FM 2499 to alleviate traffic off of Old Settlers as an access point. Currently Flower Mound High School has 3,261 students, and that number could grow to 6,634 or higher. Another impact taking place now is there is consideration for redrawing the boundaries for middle schools, and if they do that they are considering taking many of the neighborhoods (mine being one of them) and busing those kids across 2499 over to the middle school off of Morriss Road, with Sagebrush being used to do that. I would hope that you would see fit to change it from a rural road to what it needs to be - a feeder road into FM 2499.

Mayor Hayden asked for clarification as to what area of the road has the blind spots.

Ms. Jarmon stated its west of Devonshire.

Councilmember Dixon indicated being in agreement with what Ms. Jarmon said and offered the following observations or comments:

- with regard to east-west connections from 2499 over to Old Settlers, noting that everyone is familiar with Firewheel which ends at FM 2499. At one point it was on the Flower Mound Master Plan, from what I understand, to go over to Old Settlers and it was removed
- Sagebrush does have that crest with the hill right in the middle of 2499 and Old Settlers, which doesn't help with visibility
- mailboxes are very close to the pavement
- the dip and narrowness at 2499 and Sagebrush creates its own set of problems
- there is concern for the youth because this is one of the main ways to get to Flower Mound High School and it is adjacent Flower Mound LISD property
- having it a two or four-lane improved curb and gutter is something I would like to hear from the Transportation Commission on, noting a four-lane road would match up with the other side
- in the event a decision is made to improve that road; during the design phase consideration should be given to having the crest of the hill graded down as much as possible for safety reasons, however, not to affect the neighbors that live on that street

Mayor Pro Tem Stephenson offered the following observations or comments:

- Sagebrush is something that needs to be looked at
- the school district has to bus the kids that live to the north of Sagebrush because there are no sidewalks on Sagebrush
- although that is not the tax dollars we're charged with overseeing, that is one thing to take into consideration
- the issue about the east - west connection, I would like to ask the Transportation Commission if they would be willing to take that on. We have a lot of stubbed out roads. Firewheel is the most noticeable one, but there are others too all over

Flower Mound. She asked if the Transportation Commission and Town's traffic department could look at where those stubbed out roads are, along with the service levels to determine if they should be connecting and if consideration is needed to revisit those decisions.

Commissioner Thomas Walker indicated the Transportation Commission is open to reviewing the situation with Sagebrush. He indicated that Mr. Hotelling was able to conduct an informal one day study to get a snapshot of the traffic situation on Sagebrush.

Mayor Hayden requested Mr. Hotelling share what he knows about Sagebrush and the recent study findings.

Mr. Hotelling provided a presentation offering background information, traffic counts at almost 6,000 trips per day, current levels of service, and an explanation of sidewalks related to an urban collector.

Councilmember Webb pointed out that upon reviewing this location via an aerial map he noticed there are houses and driveways facing Sagebrush on the North side, and noted as we think about what our options are, I have a concern in the event we do expand and the potential of taking all 30 feet to the north. For that reason he requested consideration be given related to the impact on those residents. He indicated being interested in hearing from those homeowners and their suggestions as the discussion progresses. He asked for clarification in that what is being discussed is for sidewalks on both the north and south side.

Hotelling: If we went to an urban collector it would have sidewalks on both sides.

Webb: Would it save space if we made an exception and just put sidewalks on one side, and is that something we have done in the past?

Hotelling: Often with all the ADA requirements we wouldn't want to do it that way and I can't recollect having done anything like that in the past.

Hayden: Asked Mr. Hotelling what he would recommend.

Hotelling: It would take more than a one day study to provide that answer. I would have to look into it further and review potential future demographics.

Dixon: For me it comes down to there are only three east/west connectors south of FM 1171 so we need to make them as good as possible.

Hayden: Asked Mr. Hotelling what studies he would need to do to get to the point where you can make better recommendations.

Hotelling: You need to look at the typical thoroughfare plan where you get better counts and you do the same model network run to find out what those additional demographics are. That should tell us what the future demand for that roadway. Once we get that it will tell us what size of road it wants to be.

Dixon: I would like to make it a priority. Do what you need to do to be able to come back to the Transportation Commission for their input, and then have a recommendation for Council on final action.

Hayden: How long does it take to do a study like that?

Hotelling: By the end of summer.

Webb: As you work through this, that section of Sagebrush is unique. It's been that way for a long time. Anything we do is going to be an improvement. I would just ask that as you and the Transportation Commission look at that, if you need to be creative, get creative. Sometimes we need to stretch that a little bit for special circumstances and this may or may not be one of them. If it requires something unique to be done, then I would like to hear about it.

Hayden: Summarized to Mr. Stathatos that there is consensus of Council to do whatever needs to be done and then come back with a recommendation. At that point we can start talking about budgeting and how we would take care of that.

Ms. Jarmon asked that as part of the study, an emergency access for the neighborhood off of Old Settlers be considered, as well as the future plans for LISD and what they have with busing, in addition to the potential of growing developments.

Hayden: Those projections will be included in the study.

Transportation Commissioner Todd Schreiber: One of the things the Town has done, and we have encouraged the traffic to grow to a great degree, has to do with the traffic signals and pedestrian crossings that have been installed. We have invested hundreds of thousands of dollars on both ends of that roadway to encourage people to use it. It's a transportation corridor that doesn't do anything particularly well right now in the way of moving traffic or pedestrians. I have been communicating with one of the LISD Board members since they announced they are going to be expanding the campus. That's one of the reasons that I became concerned about that section of roadway - because if it's built currently the way it is proposed, the entrance to the 9th grade campus is going to be right at the end of that roadway. For that reason anything we can do to improve it would be advisable. The other thing that I would like to mention in terms of any studies - this time of year we're not in football season, however, there are extraordinary traffic issues any night when there is a home football game and I recommend that be given consideration when doing the studies.

Mr. Kent Collins pointed out that in the current budget the Council approved a model update for the transportation model. As part of that effort we could ask our consultant to take a look at this particular connection early on in their model evaluation. So there is already a vehicle to take a look at Sagebrush as a connection and the appropriate cross section.

Hayden: That is what we would like for you to do.

Stephenson: With regard to the east – west connections and the various stub outs like at Firewheel and Chaparral, among others, I am wondering if we want to minimize the impact to Sagebrush because if you say “well that’s going to be my east west connection” it would lead you to a lot bigger road. And I’m not saying we will do this but I would like you guys to look to see if it’s better to also maybe take some of those stub outs, and finally put them through so if the model comes back saying Sagebrush needs to be two-lane divided or whatever and match the other side of the road. As Bryan said I want you to think outside of the box. Also, if we can, include some of those other streets so we have some options as to what we do with Sagebrush so we don’t have people with no side or front yard left on their house because we need it for right of way.

Dixon: Along those same lines is what I was going to bring up after we finish with Sagebrush. For those of you who have been involved with the Town, especially on parks, one of the big mantras is complete the trails. There are a lot of places in town where we need to complete the streets. As the Transportation Commission is going through this if there is an incomplete street (i.e. Kirkpatrick) and you identify we have two pieces of Kirkpatrick but they are not connected - I ask that the Commission take a look at that, and you may have even done so already. I would like to see a list of complete streets and put in priority order.

Hayden: Can you tell us where we are with River Hill and what is happening.

Hotelling: We are currently in the questionnaire phase with the residents of River Oaks. Out of the 131 questionnaires sent to the residents, as of yesterday I have 33 returned. I have a variety of statistics on the various options that was in the questionnaire initially. Right now we’re almost at a 2/3 – 1/3 split in favor of the speed humps and raised intersections. Not quite so much on the mini roundabouts. Right now the full closure ones are closer to a 50/50 split as to what they would like to see. And the partial closure of River Hill leans much toward the no than the yes.

Hayden: To do this though if you have the 80 percent that you have to get to that is every resident – that’s not just the ones that responded, is that correct?

Hotelling: Of those affected residents.

Dixon: I know that you have been in contact with several people that live over there. Does it make sense for you to encourage them to knock on doors of their neighbors?

Hotelling: If there is a way in which we can get more complete information it’s better for everybody.

Hayden: So for the people that don’t respond, and to make sure everyone has a fair opportunity, should we send out a letter again to make sure it didn’t get misplaced? How do we make sure we’re reaching everybody? What do we typically do in a situation like that?

Hotelling: One letter, unless there is a need to do a follow-up letter. The previous survey that went to River Hill had a follow up letter.

Hayden: I think we should do a follow-up letter in a month or so to make sure we've done what we can.

Hayden: Asked of the Transportation Commission what would they like to discuss.

Walker: There was a list put together about a year ago as to what the Transportation Commission should be working on. There was quite a bit of progress made on that list. There are some items that haven't been worked. Commissioner Schreiber has brought the list with him and has highlighted five of them.

Schreiber: One of the main things is that we continue to move forward with all the gaps in the sidewalks and our trail systems around Town. We did have a lot of discussion about that over this past year. I think that hopefully the Council would agree that we need to continue the momentum because we have several areas in long-time developed sections of Town, where in some cases small gaps of sidewalks (maybe 20 feet), and other areas it may be a quarter of a mile. Staff has done a wonderful job helping us try to catalog those and we appreciate Council's continued support to move forward, and not only with the identification, however in finding funding sources so we can go in and take care of these things in areas that may have been developed 15 – 20 years ago. The other thing is we had a lot of discussion last year about the complete streets program and Matt and the rest of the staff did a great job in helping us put that program together and you've approved it. I would like us, again, in the developed areas of Town, to make sure when a section of street is being rebuilt that we're looking at incorporating as much of the complete street profile as we possibly can. You are all probably aware we had a bicyclist that was killed on FM 2499 in Highland Village within the past week. We have a lot of folks that bike and run in the community so we need to do anything we can to make sure the pedestrians and cyclists can travel as safe as the folks in automobiles. Those are the biggest ones and we would appreciate as much support you can give us in moving forward in actually implementing these things.

Walker: We would like to hear from Council as to what direction you would like the Commission to be focusing on in this year and asked for reassurance that the Commission has provided the kind of support to staff, and then to Council as to what was expected from the Commission. If not, we would like to understand where we might have fallen short and how we can improve on that.

Hayden: For the dedicated sales tax dollars and road improvements he questioned how involved are they in the roads that get submitted for improvements.

Walker: In general we are included on those conversations, however, not much on the planning side of things.

Hayden: Has there been a lot of citizen participation in the way of identifying streets that are in disrepair?

Walker: We don't get much public participation, other than in cases like Morriss/Gerault Road. Other times it was when safety issues were on the agenda such as cross walks, etc., however, not necessarily for major arterials.

Hayden: Gave the example of the concerns from Ridge Bluff Estates and how those residents didn't feel they were getting the attention desired in their area. Again, it comes down to money. I would be interested in the Transportation Commission proactively recommending what you think are priorities and match them up with what staff comes up with.

Dixon: I had the opportunity to drive down the improved West Windsor. One of the things that I noticed is the con span arches on the West Windsor Project. I took a photo and initiated an inquiry with staff as to how much extra did that cost. I would like to get an update from staff as to where we are in getting the numbers as soon as possible (the cost between the box culverts on Chinn Chapel and the con span on Chinn Chapel). If there is any way to reverse engineer the cost of West Windsor on using the con span instead of the box culverts, I would like to have a rough idea how much that is. If you need to extrapolate from the information on Chinn Chapel, maybe we need to do that. It looks great; however, it's an expensive bridge that no one sees. I don't know if you all had the opportunity to discuss con span versus box culverts, please join the discussion so I can have a good clear understanding as to what that really is.

Dixon: Encouraged the Transportation Commission to look at the option of speed humps to have a better understanding of its use in order to determine if it would be beneficial to the River Hill area should it end up where 80% residents of River Oaks end up saying they are in favor of such. At that point due diligence on the part of the Town will have taken place to determine if that is the right thing to do.

Walker: We will certainly do that. With regard to past discussions related to River Hill, the consensus of the Commission was that it was more of an enforcement issue, meaning if there was enforcement out there then it would get speed under control rather than putting some type of traffic calming device in place at the time.

Dixon: I do know there has been a lot of enforcement out there. They have written several tickets. As soon as the police officer drives away you have the next one speeding down the hill pretty quickly. The thing that concerns me the most is the 70 mph speed limit our speed violators were going up and down the hill.

Hayden: I will let Kent and Matt tell us some of the things we need to be thinking about but we will always have a need to do long term planning. We're hopeful that in the near future there may be money available to help with the connection for DFW going in through Grapevine that will help free up traffic. As soon as that's fixed you have to start planning 10 – 15 years down the road because it takes forever to get money, and resources are tight. Bicycle safety is a huge concern as there are many cyclists that ride in Flower Mound. Connections for sidewalks is important but it's a funding issue and how do we pay for it. For our trails, we have dedicated a large percentage of park dedication fees to go to trails, as well as Twin Coves Park. Perhaps that would be part of the trail system. Funding will always be an issue.

Webb: Sometime this year they are going to start work on FM 1171 west of Shiloh. When that work is completed there will be a handful of residents on Emerson and Cherokee impacted with lack of screening from their back yards. It's both an aesthetic and safety issue. He encouraged the Transportation Commission members to review the situation,

have a public hearing on it, and get their input to identify the issue and get their thoughts, followed by coming up with an appropriate response to staff and Council.

Schreiber: Asked Councilmember Webb if this is a circumstance similar to Lake View Estates where TxDOT was going to put in a certain type of sound wall for folks that were along the roadway and that neighborhood participated in the project to change the design, or is it a different situation.

Webb: Similar but different because TxDOT is not proposing a sound wall, but I think it's something that needs to be looked at. I know the homeowners on Emerson are losing some trees that act as a barrier between them and traffic. Without those trees there is the possibility of a vehicle leaving the road and ending up in their back yard, garage, or house.

Walker: For the comment about growth and getting ahead of it - the Transportation Commission considers the agenda to be mobility and much broader than just thinking about traffic signals and traffic calming devices and so forth. Mass transit opportunities might need to be discussed as it hasn't been explored or leveraged for Flower Mound. For example, how can we better take advantage of mass transit opportunities in the DFW area, and then regarding bicycle safety, as Mr. Schreiber pointed out, we do look at complete streets. We want to put complete streets in wherever we possibly can as it would contribute significantly to bicycle safety and help with low speed vehicles such as golf carts.

Hayden: Asked for an update on Chinn Chapel.

Collins: The bids are in and it is slated for Council award in March. We received the right of way. The Academy/The Highlands Plaza has been platted so we have the right of way there. We received the right of way documents from The Legends properties, including Mr. West on the corner.

Dixon: Do we have both sets of bid numbers for con span and box culverts.

Collins: We do. We can send that out to Council.

Dixon: I would like to see that tomorrow.

Collins: Okay.

Hayden: There is an area that is highly traveled between Bridlewood Blvd and Chinn Chapel. Who has responsibility for that portion of Waketon Road?

Collins: It's the County in conjunction with our neighbor to the west. It's one of the TRIP 08 projects. I know at one point they were working on design and moving forward. The last I heard they put that on hold. They hit some major drainage issues, however, we can follow up. I know at one time we had talked to them about coordinating so that the part of Waketon in Flower Mound and the part of Waketon to the west would be constructed at the same time, however, we don't have a time frame for our piece. The current position is that it would be driven by development.

Hayden: With regard to your comment about mass transit, about every six months we get folks to come up and talk about the need for affordable transportation. He requested the Transportation Commission members come forward with ideas in that area.

Schreiber: Some time back there was a recommendation from the Transportation Commission to Council to study doing something such as a connection down in Lakeside. At that time Council decided not to move forward in studying that. He noted at that time many of the state roads haven't even been improved and it might not have been appropriate, however, now we have a lot of six-lane road traffic in Town. He agreed with studying it as a Town and taking a look at ideas as to what could be considered. Staff has done a great job about bringing items forward in relation to service levels and noted there are areas along FM 2499 that are reaching high capacity such as FM 2499.

Webb: With regard to the flyover he recalled asking staff to prepare traffic counts and times for that stretch of FM 2499 and Gerault to compare before and after numbers. He asked for an update on that.

Hayden: One of the things about FM 2499 is we need a little more time as there may be some news in the way of funding for the DFW Connector section that runs towards Flower Mound.

Webb: I understand that. I am just saying we've opened up the flyover and from what I can tell it appears to help in some degree and I was wanting to know if we had data available to see if it made progress on the situation, or if we need to have the complete process all the way through Grapevine handled.

Walker: I drive it every day and can say it has absolutely sped up us getting to Grapevine where we stop. We get out of Flower Mound fine but we stop in Grapevine. There was some work done between the Town and TxDOT to improve the signaling by the apartments.

Hayden: That's my understanding as well and I understand Mr. Parr has been working on that.

Hayden: Anything else the Transportation Commission would like to discuss? You know we're thinking about parks, economic development, and other things. We would like for the Transportation Commission to come back and say we would like you to look at such and such.

Stephenson: I have a couple of request related to crossing the street, especially FM 2499. We do have neighborhoods to the west that cross over and funnel into Shadow Ridge and it is a scary thing to see the crossing guards get out in the middle of FM 2499 in the morning, especially because of all of the truck traffic coming up and down 2499. I have been approached by parents asking for the Town to get creative, maybe a pedestrian bridge over 2499 to allow a safe way to get the kids across the street. She asked the Transportation Commission to take a look at that with staff, as well as with the school district. She noted currently LISD offers a bus for every child that lives over there because no parent wants their child crossing 2499. If a solution could be found more kids would

walk instead of taking the bus just to cross the street since they live less than a quarter mile from the school.

Stephenson: One issue I have is when Council gets request to lower speed limits in neighborhoods that border the schools (because it's often contentious and there are always inquiries as to who told you to do that and how many people did you ask in the neighborhood of the affected people). It's something we have talked with staff about before and asked if the Transportation Commission to put together a documented process as to how you go about it in the event you want the speed limit changed. In this way it's handled in a manner in which the expectation is there.

Stephenson: Asked if the Transportation Commission has been involved in offering recommendations as to the need for crossing guards at various locations.

Walker: We have not.

Stephenson: I was in a meeting with the principal of my children's school and I got asked about getting some additional crossing guards around Old Settler's because up and down McKamy we have a lot of those neighborhoods where kids are trying to cross McKamy right at the hill, and it's a bit tricky. She inquired about what is the process should they have a request for an additional crossing guard.

Collins: The crossing guards are run through the Police Department and staff works with them to help evaluate crossing guard locations.

Stephenson: Then I will make the request for the parents that were in this meeting. When you cross Stafford Estates and McKamy Creek subdivision there are a lot of children that cross there into the Sanctuary to use that cut through sidewalk, which is great, but it's just that McKamy is a little busy and it has that hill right before you cross. In addition, there is not a formal crosswalk there. I don't know what the criteria are, but I thought it was worth mentioning to the Transportation Commission and they could look into and I could get back to the PTA as to whether it is warranted or not.

Jacki Jones, 3100 Jacklamo St, Flower Mound, TX

Is it possible to look at the timing of the signal at Sagebrush heading eastbound to FM 2499 when the high school lets out? If you are trying to head down there you have to wait for at least 4 – 5 signals to get through to 2499. It currently only lets through six vehicles at a time.

Hayden: We'll inquire of the traffic department. Also, I would like to ask Matt and Kent what are some of the things that are important that we should consider.

Hotelling: One of the items brought up tonight was the signal timing along 2499. Towards the end of December the Town entered into an agreement with the Council of Governments and all the local match is coming from TxDOT since it's a TxDOT facility. So some time probably later this spring they will start their kick off meetings – start doing counts, turning movements, and later this year they will come through and do the retiming from 407 all the way down through 121 in Grapevine. That should help that corridor flow better.

Hayden: What does staff do in the way controlling timing of the signals?

Hotelling: Explained the data driven process and software program they use.

Hayden: Is there anything you think Council or the Transportation Commission should concentrate on?

Paul Stone, 709 Lake Bluff Dr, Flower Mound, TX

Mr. Stone stated the Town has been doing a great job at improving roads on the east side such as with Kirkpatrick. Consideration needs to be given to continuing that connection to the east as has been previously planned. With regards to public transportation he recollected Council at that time had asked the Transportation Commission to update the thoroughfare plan. One of those issues was just putting on the plan showing some type of system in the southern part of town that might be able to help with the employment base (which is coming soon whether it be the cotton belt or the orange line that will go into DFW Airport). Grapevine does it from a tourist perspective. It's just a matter of getting it on the plan for future consideration. What I will share with you is that when the Council at that time took up the transportation plan, and they looked at what we had recommended as an item by item review, the item regarding mass transit or public transportation system was late in the night (already past 11 p.m.). There was a council member who simply didn't want to hear it so he made a motion to not consider it and everyone was happy to go home. So it really didn't get the discussion. We had Halff & Associates prepare a map to show what it could be. It's really a serious thing and with Lakeside happening, and we have the school here now, there are key areas that some form of public transportation, however it be funded, but at least have it shown on the thoroughfare plan.

Hotelling: There is one item that will happen later this year that the Transportation Commission will need to look at, and that's when sections two and three of FM 1171 begin to expand there will be a new cul-de-sac formed by Pocahontas. There are some houses now that front 1171 and they will have a new street there, so we will get with those residents and bring them in to the Transportation Commission since they deal with existing street names. The existing street is 1171, however, they will have a new cul-de-sac so there is going to be a new name and that could end up happening later this year.

Dixon: There is one area that has always seemed strange to me: Lakeside and Garden Ridge. Garden Ridge ends at Lakeside by CTDI. It looks to me like if the Transportation Commission could look at aerials, there might be some type of connection that might help the economic development in that area and some limited mobility south or east of there.

Hayden: I would like to talk about how we handle TIA studies for SMARTGrowth. There is one group that has our model and there is almost a monopoly on how they handle that. I don't know if there is competition there in the way of pricing. I'm thinking it would probably come from staff and then to the Transportation Commission for consideration. I have heard some developers say being a consultant for the Town of Flower Mound is an awesome job because we don't have any choice. You give us the bill. There is no competition in terms of pricing and if we want to do it, that's just the way it is.

Again, we don't want this to be Council giving you direction, we would like for the Transportation Commission to say "Council, this is something you should consider". We would be very interested in ideas originating from the Transportation Commission and coming back to Council.

2. Discuss and consider Keep Flower Mound Beautiful's Lend A Hand Community Enhancement Initiative.

Ms. Scott provided background information noting the initiative started with the Mayor's desire to have an avenue within the community where there could be assistance offered to those in need of repairs such as with fencing, and incorporate the Town's faith leaders in that project.

Hayden: We have been asked routinely what are you going to do to repair some of the older areas of Town. We often think of Flower Mound being a new town but there are some areas that go back 30 – 40 years. One of the things I thought that we could do is if we could get a weekend day where we can get several people together where they could go in and freshen up a community, including trimming branches and other exterior things. We have been talking about this and Keep Flower Mound Beautiful (KFMB) said they would like to be part of it so that's how it originated.

Ms. Scott pointed out the packet indicates the meetings with the faith leaders started in June. There have been discussions about how the program could look, what it would be called, etc. In an effort to seek out a group that would be interested in taking the lead in this type of program, KFMB was invited to join the faith leaders meeting. At one of the meetings there was input received from Plano's *Love Where You Live* Program and McKinney's *3E* program because they resembled what was discussed amongst the faith leaders. A few weeks later KFMB decided that they would be willing to take on a program of that nature and have already come up with the name of *KFMB's Lend a Hand Community Enhancement Initiative*. She indicated Angie Cox, and some other board members are here to talk about ideas they have for that program.

Hayden: Asked Ms. Scott what other communities were doing something like this.

Scott: Plano and McKinney were the main ones in which solid program information could be found on line for.

Hayden: Asked Mr. Stathatos if they did something similar in Roanoke.

Stathatos: It's similar in that Richardson came up with a model where we copied some of their ideas but basically it encourages homeowners to do façade improvements and things like that. What they are going to do is basically calculate the impact that these improvements will have and there will be a funding mechanism to help rebate the taxes. So basically the improvements that homeowners make to beautify their property, in the situation where it raises their taxable value, they would still be made whole. Also, they are working with Home Depot and other vendors to try and provide gift cards and other incentives. The city would also do improvements in the area of median improvements and masonry walls.

Angie Cox, KFMB Board Member

Ms. Cox introduced KFMB board members that were present. She provided a presentation announcing they have set up a task force of community leaders to see what Lend a Hand looks like. Our mission is to unite our community and serve the citizens of Flower Mound for the enhancement of our neighborhoods. She provided additional background information related to what led them to where they are today. She identified the process and noted they are incorporating a lot of what Plano is doing now. Hopefully we can get the Town to be on board and indicated they would get applications through code enforcement issues and come up with an application process. Once they are identified the project would take place in about two to three months, preceded by a community outreach process. It's all exterior. There would be no interior work done. Then we will work with the Town, which will be an important part of the program - to work with staff to see what is needed on the project. Then we will work with the Town on an assessment team to determine what is needed and then we will provide a final report to Council and Town staff. She indicated they are awaiting Council's approval of the program prior to going forward. They will be preparing the hold harmless forms and applications. We are putting the logistics in place for covering liability. We would really like to set May as a target date to launch the first one for this year. We haven't set a date yet but we've been asked by several churches to come up with a target and rain date. Our plan is to pick a neighborhood and then take on about five homes this year, and then next year keep growing as it goes. We are currently working on two projects, with one being worked on right now and the other one is being assessed through the KFMB group. We are already doing some of these on a case by case basis. She provided a list of volunteers they would be working with.

Wise: How are you getting volunteers and what can Council do to help.

Cox: I know the Mayor has been meeting with church groups and that has been beneficial. We have two of the churches that are helping on the task force and we will be reaching out to the Rotary Club, Chamber of Commerce, as well as other organizations in Town.

Webb: Offered his support for the program and applauded the efforts of KFMB for putting a plan together. He asked that KFMB let Council know what is needed going forward and encouraged them to set a date certain soon.

Stephenson: Inquired if staff had thoughts in the way of funding because volunteers don't supply the materials.

Cox: Indicated there will need to be fund raising efforts and they have begun working with various organizations.

Hayden: I would be willing to help you ask people for donations. He offered appreciation for KFMB in taking on this endeavor.

Dixon: Commented that his church has done something similar to this for many years and encouraged KFMB members to contact Rock Pointe Church and ask for Charlie Holton, as he has been instrumental in the coordination of a similar program within their church, and he might be able to offer some insight.

Hayden: Inquired of Council how would they feel about using staff time to help organize some of this.

Dixon: The churches would be able to offer up lay people that could work in this capacity. Until the organization is set up and you put the program out, it is premature to say we may need staff.

Cox: We would definitely need Town staff as it relates to code enforcement issues, inspections, and those things that we need implemented from the Town's perspective.

Hayden: In reviewing the neighborhoods they will need to know where the most code violations are happening and to work around those parts of Town.

Dixon: He is aware that code enforcement does a heat map on code enforcement issues so that map would be readily available from the code enforcement department, and they can help overlay situations where request are being made.

Stephenson: Back to the money. We have the residential rehabilitation program where we have block grant funding that we are going to be using for that. Do you think we need to look at that to see if we can leverage some of that money and staff could act as a coordinator to oversee those funds? I would like to explore that because if we can take that money - and instead of people apply one-off, and we can pool it and maybe buy supplies in bulk, it's a wise use of that money and maybe stretch it. It could start off small. While it is nice for businesses in the community like Home Depot to participate, I would also be interested in stretching that block grant.

Hayden: We have a grant writer and maybe they can see if there are state or federal grants available for things like that.

Dixon: Who is the staff liaison on this?

Cox: We don't have one. We were waiting to present this so we can ask to have a staff liaison because we really need that important part.

Hayden: That might be something for Jimmy to decide over time.

There was consensus by Council to support the program and encouraged KFMB representatives to bring forward the needs as they arise to Mr. Stathatos.

Cox: Who would be our point of contact to call for things that we need because we're ready to move forward.

Hayden: Can you give us a week?

Cox: Okay.

3. Discuss and consider amendments to Property Standards codes.

Matt Woods provided a presentation identifying or noting:

- background information
- code enforcement cases
- potential ordinance amendments
- property maintenance standards (which could include fences)

His presentation is as follows:

TOWN COUNCIL WORK SESSION
JANUARY 17, 2013

Property Standards/Code Enforcement Program

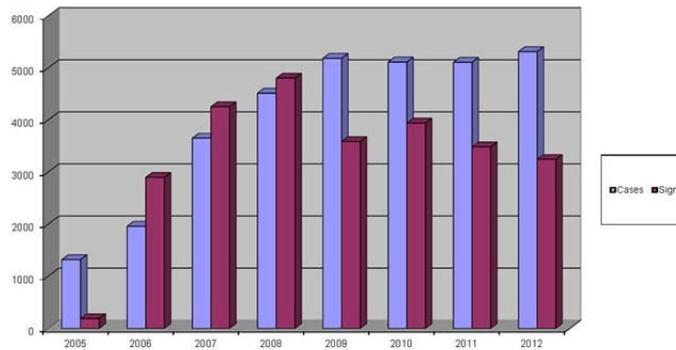
Code Enforcement & Property
Standards Regulations

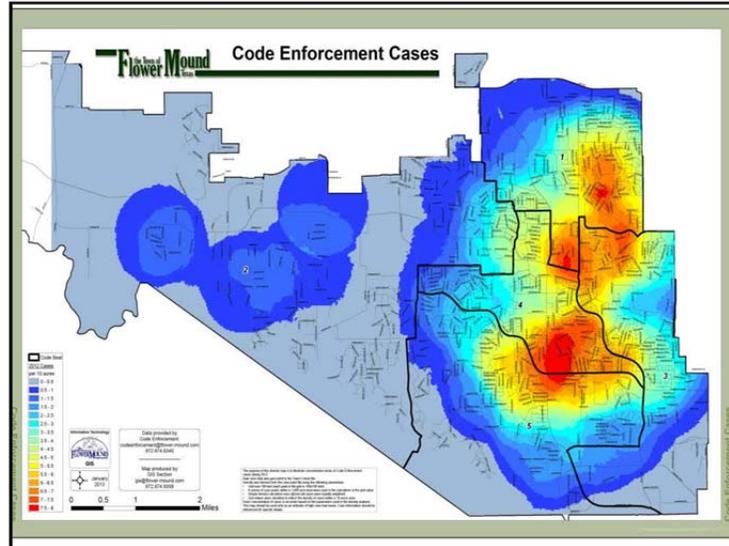
- Background
- Potential ordinance amendments
- Procedures and programs update
- Discussion/Direction

Background

- Property Standards Committee presentation at the July Town Council Work Session
- Follow up presentation by staff at the August Town Council Work Session
- Staff and legal review of regulations and potential amendments
- Town Council request to bring regulations/items under review to a work session

Enforcement History





Potential Ordinance Amendments

- Exterior Property Maintenance Regulations
- Dead trees and vegetation obstructions
- Fence staining requirements
- Paving/parking standards – subdivisions with non-conforming paving/parking status

Property Maintenance Standards

- Exterior property maintenance standards
 - International Property Maintenance Code (IPMC) review
 - IPMC or portions adopted by a small percentage of survey cities
 - Town code (Ch. 14 & 34) as stringent or more stringent for many requirements
 - IPMC exterior regulations defining protective treatment and corrective measures would enhance current code (Sec.304.2). This section requires that all exterior surfaces (except for decay resistant wood) be protected from the elements by painting, staining, or other protective treatment or coating.

Dead Trees and Vegetation Regulations

- Require the removal of dead trees located on residential property
 - An owner/person in control of any private premises commits an offense if the person fails to remove dead trees located on the property.
- Once verified, property owner notified to remove dead tree & take the stump down to a desired height
 - Acceptable stump height may vary from not visible at average grade to one foot or three feet in height
- Third party verification by a certified arborist can be incorporated if Town determination is challenged
- Seasonal enforcement may be necessary to confirm trees are dead

Dead Trees and Vegetation Regulations

- Vegetation (trees/shrubs) obstructing doors and windows reviewed by the Town Attorney and staff
- Amendment would prohibit a physical obstruction of a door/window to address a safety standard for adequate ingress and egress from the home
- A percentage of window and door coverage could also be incorporated (ex. City of Richardson prohibits more than a 25% obstruction of a porch from the street)

Fence Maintenance

- Current Town ordinance requires board-on-board pre-stained cedar fencing for defined perimeter fences (adjacent to arterial/collector roadway)
- Non-perimeter fences shall not be dilapidated, but staining/color requirements are currently not in place
- IPMC-type protective treatment standard could incorporate fence staining
- Current perimeter stain standard is medium brown
 - Many variations of medium brown paint/stain are available

Paving/Parking Standards

- There are multiple subdivisions that were platted prior to Town ordinances being adopted
- Paving exceptions apply to these non-conforming areas; roadway widths are also reduced
- Parking along reduced width roadways can affect traffic flow
- Staff will occasionally receive concerns regarding parking on the grass/dirt

Paving/Parking Standards

- Parking on an unimproved surface
 - Establish a standard to allow vehicles to park off of the roadway at a designated distance within those areas with reduced width roadways
- Parking Standard
 - In residential subdivisions approved prior to the adoption of required street section widths where the roadway is less than ___ feet wide from edge of pavement to edge of pavement and does not have curbs and gutters, motor vehicles may be temporarily parallel parked on an unimproved surface immediately adjacent to the roadway to allow for sufficient traffic flow and provide for safe travel on the internal residential roadways of such subdivision(s). In no event shall the closest pair of wheels of any such temporarily parked motor vehicle be situated more than three-feet away from the closest edge of pavement.

Program Updates

- “Sweep” inspections initiated in the fourth quarter of 2012
 - Additional sweep inspections scheduled for 2013
- Code officer area/beat rotation frequency
 - Increased rotation frequency to every 6 months
- Increased ROW enforcement
 - Request received to increase enforcement efforts for vehicles blocking sidewalks in residential districts; additional enforcement initiated in September 2012

Additional Programs

- Fence replacement program
 - Property maintenance standards regulate fencing
 - Enhanced perimeter fence standards adopted in 2007 & 2009
 - Funding mechanism established to address perimeter fencing replacement
- Sidewalk replacement program
 - Responsibility of adjacent owner
 - Funding mechanism is available to repair and/or replace defective sidewalks

Dixon: When considering the International Maintenance Code it's important to know that within the code there are common sense ways in which exceptions could be granted, and indicated a preference to allow staff to have the flexibility needed.

Dead Trees Regulations Discussion

With regard to removal of dead trees on residential property, Mayor Pro Tem Stephenson questioned how that standard would apply for heavily treed larger lots that are not zoned agricultural. It's not the same as having a dead tree in their front yard and would hope that there would not be the ability to fine people in situations where the trees are not even visible as it's not the same type of nuisance.

Woods: Responded they would work with the Town Attorney on that.

Wise: How does code enforcement handle dead trees now?

Woods: It is not a violation unless it's considered to be a hazard to the public right of way and he outlined the property owner notification process.

There was some discussion related to tree stump height and whether or not it should be at grade or a specific height. There was also discussion related to imposed regulations applicable to Town-owned property.

Mayor Hayden summarized there was consensus of Council to have something in the Ordinance related to the removal of dead trees and tree stump height could be determined by staff based on a reasonable standard that can be enforced.

Vegetation Regulations Discussion

While there was some discussion that excess vegetation on a home is aesthetically unappealing, there was consensus of Council to have the Ordinance structured in that excess vegetation would be a violation in the event it prevented emergency personnel from gaining access to the home to help a resident.

Fence Maintenance Discussion

Woods: Outlined the Town's current perimeter fence program and provided an update as to how the program is going, noting about five to eight people per year participate in the program. He also pointed out how code enforcement currently handles dilapidated fences.

Hayden: Questioned the ability of expanding the fence maintenance program to non-perimeter streets throughout Town.

There was discussion amongst Council regarding various possibilities related to funding associated with the fence program.

Woods: Summarized that it is his understanding Council was acceptable to reviewing the IPMC standard for protective coating, not requiring a stain color or general stain for non-perimeter fencing - just interior subdivision fencing at the most stringent level at this time.

Paving/Parking Standards Discussion

There was consensus of Council to move forward with the recommendation as written, however to define temporary and give consideration to street section widths.

Program Updates

Mr. Woods responded to inquiries from Council related to:

- the process involved in the "sweep" inspections and the associated outcome
- staffing levels within code enforcement and equipment they will soon be using to improve efficiencies
- availability of data to citizens related to code enforcement activity

Stephenson: Asked if staff is currently sending out any reports to any citizens on a periodic basis.

Woods: Yes, a weekly activity level in a subdivision report.

Stephenson: I have received questions about why we do that and she asked Mr. Stathatos to review the situation as it's a strange thing that we do.

Hayden: Does the report have individual addresses or cases?

Woods: It's the number of reactive, proactive, and type of cases addressed, and any specific issue, or if there is a certain type of violation. It does not include addresses.

Hayden: Then if it's available to one it should be available to everyone and put on the web site.

Webb: Is there staff time spent in generating the report or is it automatically generated?

Woods: There is some time, but not an extensive amount.

Webb: Has anyone else requested this type of report?

Woods: Not that I am aware of.

Webb: I think that spending staff time for this ongoing activity is not the best use of Town staff and my input for the Town Manager is that I would be okay if the report wasn't prepared anymore.

Dixon: Is this report Town-wide or one area?

Woods: For one subdivision.

There was Council consensus that staff should discontinue providing reports to this one individual due to the report being generated for one individual, one neighborhood, and it's taking up staff time. However, there was agreement that in the event the new software

allows that type of information to be readily available, then posting that type of information on the web could be considered.

4. Debriefing of the Lakeside DFW mixed-use application process and the Town's mixed-use regulations.

Mr. Powell noted even before the Lakeside DFW project was approved last month there was discussion about after it's done, we should recap and see what went right, what went wrong, what would we change for next time, and how would we do things differently. We have talked to the participants in the Lakeside DFW and they do have some feedback that I don't have to you tonight because part of it is that we're only half way through the project. Today there was a two to three hour meeting to talk about actually building what was approved. The good news is phase I is underway and we should have plans in our office next Tuesday (both platting and site plans for the project). We are working towards it and the recap should include that phase of the development too because that is when we're really going to see if some of these standards make sense. As you are aware, going through this we did change a couple of the standards and tweaked them a little bit. So I did think of the idea of going back and looking at it is good, however, it might take a little longer to get there. I know in the past the Town really hasn't looked back at these projects and said what would we do different or better next time around so I think it's a great idea. As you are well aware, the "Go Team" was part of this which included staff members, as well as Mayor Pro Tem Stephenson and Deputy Mayor Pro Tem Wise, so I know they have some perspective from that standpoint and how that worked. Also, since we have a new Town Manager on board who wasn't part of this project, it might be a good process for him to look at with a new set of eyes.

Hayden: For the meetings that you are having weekly now, how much longer do you think you need to continue having those? He asked Mayor Pro Tem Stephenson and Deputy Mayor Pro Tem Wise if they thought the meetings were helpful.

Stephenson: I think it is helpful at this point because we're trying to figure out how to get them vertical and there is a lot of moving parts. We have issues like how we get the record plats and site plans done. Then we have these policy issues that are driven by the development agreement so I think... I keep asking the applicants every few weeks if the meetings are helpful to them and I think it's reassuring for them to know if they come across an issue they have a weekly meeting set up where they have people in the room that they can ask either detailed engineering questions or policy questions. Until they get through record plat and site plan I would anticipate meeting at some level. If it was a 20-acre mixed use project it might not be warranted.

Hayden: My point is I understand we did the "Go Team" meetings to get it to the zoning process but they are now getting use to us and this is taking up a lot of staff time. At some point we're going to need to start weaning them from the meetings. Maybe when they get their first vertical building going, maybe it becomes once a month. Doug is currently spending every Thursday afternoon with Realty Capital.

Powell: There are really two different meetings. One is the follow on to the approval of the development agreement and the stuff that the master developer needs to take care of. And

those – until some of these questions get answered will probably need to continue meeting with them. Maybe not weekly, but on a regular basis. On the development side, for the development applications, that's what DRC does. This is a big project with a lot of land and a lot of details such as figuring out how to vacate the streets that are there and relocate them.

Hayden: I just don't want it to be a standard that is expected of everyone.

Hayden: Are they still progressing time wise and talking about getting permits in.

Powell: Yes, and on the Town side of things there is a lot that we will be doing such as amendments to the CIP, and we're right on schedule so on the Town side we are keeping up with our commitment too.

Stephenson: Before we wrap this up I have a short list that I would like to present for Council to think about. Some of them are related to just mixed use and others are in general to the development process. I believe this list would be good to get out there for staff to know whether or not we are interested in looking at.

The Pre-app process: I think to make that process run more smoothly – we did a market feasibility study at the end of the application process which is the wrong place to put that. There is not a requirement in the mixed use ordinance that states it's required and I think whether we amend the ordinance or not we need to have that moved so it happens as part of the pre-application process instead of letting it wait until the end.

Hayden: Does the ordinance say that the market study has to go at this particular time?

Powell: It indicates, even during the pre-application, one of the things that can be requested is a market study as something that should be looked at. I think what I heard Mayor Pro Tem Stephenson say is, in this case, maybe not all, but when a market study is needed because of the project, that it really should be done at the outset and not later on because it could affect the design and use mix of the project. The idea is to do those kind of studies at the beginning before you have a lot of sunk cost and then no one wants to change things.

Hayden: So as for as that goes, I've heard several people say just tell me where the goal post is and don't move the goal post around – make it consistent all the way through.

Stephenson: The other thing the pre-application didn't do that well is to identify all of the policy issues. We ran into at the very end. I would like staff to look at that and I have some notes as to the ones that were missed. After you get out of the pre-application phase and one of the things we waited for – it was confusing to me why we would wait so long to start it – is the development agreement. We kept saying we can't do it now when we all knew there was this list of things from the time we got out of pre-app and we could have been saying these are the requirements and getting those agreed to. It takes a lot of time because we go from Council and then back and forth through attorneys on both sides. It's a crazy process so I think that needs to be cleaned up so it's a lot more collaborative.

The consultant selection process for engineers such as Kimley-Horn: we had a good suggestion come out in that. Instead of us just saying you're going to use Kimley- Horn and please give us your thousands of dollars – if we're going to continue require them to have us do that – we should get – just like we would for ourselves – 3 bids and let the applicant pick which one they want. Then they would feel like they have a little bit of control instead of us just saying here it is – it's this amount of money.

Hayden: As long as it meets our standards.

Stephenson: Agreed. We had issues with making sure we were collaborative with our consultants and letting the applicant have access to the consultant because we would go through these studies and not have the two parties sit down and then we would have to redo the requirements when it could have saved a lot of time.

And then the conflict of interest clause. We have talked about this where we prohibit Kimley-Horn, or any of our consultants, where we don't allow them to work for our applicants. I can see the sense in that most of the time; however, I can see times where that works against us. Kimley-Horn is under the impression that they can't even recommend that people look at sites that they have done the engineering for. I think that is kinda crazy so I would like us to look at the conflict of interest and make sure it's not too tight. I know most of this doesn't go under the mixed use ordinance per se and more of the development process.

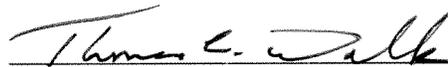
E. ADJOURN WORK SESSION

Mayor Hayden adjourned the work session at 9:06 p.m. on Thursday, January 17, 2013, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS



THOMAS E. HAYDEN, MAYOR



**THOMAS WALKER, CHAIRMAN,
TRANSPORTATION COMMISSION**

ATTEST:



THERESA SCOTT, TOWN SECRETARY