

THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING AND WORK SESSION HELD ON THE 19TH DAY OF MAY 2008 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 regular meeting with the following members present:

Jody Smith	Mayor
Jeff Tasker	Mayor Pro Tem
Tim Trotter	Deputy Mayor Pro Tem
Joel Lindsey	Councilmember, Place 1
Al Filidoro	Councilmember, Place 2
Laurie Long	Councilmember, Place 4

and with the newly elected member present (after canvassing):

Jean Levenick	Councilmember, Place 4
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constituting a quorum with the following members of the Town Staff participating:

Harlan Jefferson	Town Manager
Paula Paschal	Town Secretary
Terry Welch	Town Attorney
Chuck Springer	Chief Financial Officer
Kenny Brooker	Police Chief
Eric Metzger	Fire Chief
Kent Collins	Town Engineer
Bart Stevenson	Executive Director of Community Services
Doug Powell	Executive Director of Development Services
Tracy Knierim	Executive Director Administrative Services

A. CALL BRIEFING SESSION TO ORDER

Mayor Smith called the briefing session to order at 6:07 p.m.

B. BRIEFING SESSION

1. Mayor and Town Council Liaison Report

Mayor Pro Tem Tasker attended the last Planning and Zoning Commission meeting and reported that the Commission had a very full agenda.

2. Discuss Pending Issues

a. Council Communications - no discussion

3. Comments on Consent and Regular Items - no discussion

4. Discuss Future Agenda Items - no discussion

C. ADJOURN BRIEFING SESSION

D. CALL REGULAR MEETING TO ORDER

Mayor Smith called the regular meeting to order at 6:09 p.m.

E. INVOCATION

Chaplain Janet Dougherty gave the Invocation.

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

Mayor Smith led the pledges.

G. PUBLIC PARTICIPTION

Jan Thompson, 904 Hillside Lane, Flower Mound

Ms. Thompson thanked Councilmember Laurie Long for her service and welcomed JeanLevenick to the Council. She hoped everyone will work on conserving the environment.

Carol Kohankie, 4312 Lauren Way, Flower Mound

Ms. Kohankie reported that she received a telemarketing phone call from a disabled **firefighters'** fund. She checked their tax records, and found they raised \$407,000 last year and \$406,000 was used for fundraising. She warned the public about the group.

Sylvia Inboden, 2017 Brookville Lane, Flower Mound

Ms. Inboden invited everyone to a fundraiser for St. **Jude's** at the Flower Mound Pumpkin Patch on May 31. She stated the event was being held in conjunction with the two Chil i's restaurants in Flower Mound. Mayor Smith and members of the community were helping with the event that will start at 10 a.m. She noted that several sports dignitaries would be present and there would be many activities for the family.

H. PRESENTATIONS

Library Achievement of Excellence Award

Mayor Smith and Councilmember Long announced that the Flower Mound Public Library received the 2007 Library Achievement of Excellence Award from the Texas Municipal Library Directors Association.

Proclamation - National Public Works Week

Mayor Smith and Councilmember Long presented a proclamation for National Public Works Week to Ken Parr, Director of Public Works. Mr. Parr presented a signed Public Works Poster and Transportation Week poster to the Town.

Proclamation - EMS Week

Mayor Smith and Councilmember Long presented a proclamation to Fire Chief Eric Metzger for EMS Week (May 18-24, 2008). Mayor Smith noted that EMS was 20 years old in Flower Mound.

Flower Mound Community Activity Center Update and Presentation

Jack Jones, Director of Parks and Recreation, stated the grand opening of the

Community Activity Center (CAC) was on June 21. An update on the charter memberships showed 300 memberships sold to date - 935 total members. Mike McCall, Chair of the PALS Board, stated his wife was an artist, and she chose a special piece of artwork for the CAC that she had painted.

Linda McCall stated she was donating to the Town of Flower Mound, "Desire, Determination, and Discipline."

I. COMMENTS FROM OUTGOING COUNCILMEMBER LAURIE LONG

Councilmember Long thanked her family for their commitment with her being on Council. She thanked staff for their service. She thanked the Town Council, adding it had been a wonderful experience to serve even with those who debated the hardest. To the citizens, she stated she was true and honest and served from her heart. She will continue caring about and serving the community. The Council presented Councilmember Long with a crystal clock and a street sign with Laurie Long Lane.

J. CANVASS OF MAY 10, 2008 GENERAL ELECTION AND OATHS OF OFFICE

1. Consider approval of an ordinance canvassing and declaring the results of a general election held May 10, 2008 for the purpose of electing the Mayor and two Councilmembers, Places 2, and 4.

Town Secretary Paula Paschal stated the election was held on May 10, 2008, with 3,082 ballots cast in the election. 1,673 were cast early and 1,409 were cast on Election Day. These numbers included the provisional ballots that were eligible to be counted. Ms. Paschal stated Mayor Smith, as the presiding officer of the canvassing authority, was in receipt of the election results as certified by the Denton County Elections Administration. Ms. Paschal read the results of the May 10, 2008 general election as follows:

	<u>AYOR</u>			
Candidate	Early Voting	Election Day	Total Percentage	
Jody Smith	1262	1052	100%	

	<u>COUNCILMEMBER, PLACE 2</u>			
Candidate	Early Voting	Election Day	Total Percentage	
Al Filidoro	861	747	54.9%	
Steve Dixon	724	598	45.1%	

	<u>COUNCILMEMBER, PLACE 4</u>			
Candidate	Early Voting	Election Day	Total Percentage	
Jean M. Levenick	797	652	50.8%	
Virginia M. Jellison	748	654	49.2%	

Ms. Paschal noted that Section 3 of the proposed ordinance provided that the duly elected members of the Town Council for Mayor, Place 2, and Place 4 subject to taking the Oath of Office, were as follows:

Mayor	Jody Smith
Councilmember, Place 2	Al Filidoro

Councilmmeber, Place 4

Jean M. Levenick

Deputy Mayor Pro Tem Trotter moved to approve Ordinance No. 31-08 canvassing and declaring the results of a general election held May 10, 2008 for the purpose of electing a Mayor and two Councilmembers - Places 2 and 4, and Mayor Pro Tem Tasker seconded the motion. The ordinance caption reads as follows:

ORDINANCE NO. 31-08

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF A GENERAL ELECTION HELD MAY 10, 2008, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) COUNCILMEMBERS, PLACES 2 AND 4, OF THE TOWN OF FLOWER MOUND, TEXAS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Lindsey, Trotter, Tasker, Long, Filidoro

NAYS: None

a. Administer Oaths of Office and Issue Certificates of Election.

Town Secretary Paula Paschal informed the Council that newly elected Mayor and Councilmembers had taken the Statement of Elected Officer, as required by state law.

Ms. Paschal administered the official Oath of Office to Councilmember Al Filidoro, Place 2; Councilmember Jean M. Levenick, Place 4; and Mayor Jody Smith.

Mayor Smith distributed the Certificates of Election.

K. MAYORAL/COUNCILMEMBER ANNOUNCEMENTS

Recognition of outgoing Councilmember Laurie Long

Mayor Smith stated when she and Councilmember Long first ran for office in 2004 they did not know each other, and Councilmember Long had served the community well. She thanked her for continued service to the Town. Mayor Smith stated during the last four years, the Town had started to build and complete more trails, and cultural arts projects and events were coming to the Town. Councilmember Long was very instrumental in working with Keep Flower Mound Beautiful and beautifying the medians. Mayor Smith stated she was looking forward to Councilmember Long working with the Wild About Flower Mound Festival next year. She stated everyone on Council had disagreed from time to time, but agreeably. Mayor Smith stated she would carry the torch on a no-smoking ordinance, and would follow through with additional trees and landscaping. She hoped to continue with a push for cultural arts, as she would like to complete some of the projects Councilmember Long had started.

Councilmember Lindsey extended congratulations to Councilmembers Levenick and Filidoro. He thanked Councilmember Long for her service.

Councilmember Trotter thanked Councilmember Long for service and congratulated Mayor Smith, Councilmember Filidoro and Councilmember Levenick. He extended appreciated to Steve Dixon and Virginia Jellison for running for Council. He noted that Mr. Dixon would

continue to serve on the Planning & Zoning Commission, and he hoped Ms. Jellison would continue to be involved in the Town. He thanked Mike and Linda McCall for the donation of the piece of art and for the time Mr. McCall had put into the community.

Councilmember Tasker thanked Councilmember Long for her service, noting he had enjoyed their lively debates. He congratulated Councilmembers Filidoro and Levenick and looked forward to working together. Councilmember Tasker stated he was a huge fan of Linda McCall's work and he thanked the McCall's for their donation.

Councilmember Levenick stated she was excited and humbled to be on the Town Council. She thanked Sylvia Inboden, her husband and her sons for their support.

Councilmember Filidoro thanked Councilmember Long for her service, along with the rest of the Town Council and Paul Stone. He welcomed Councilmember Levenick, and thanked members of the community. During the campaign he met many people and appreciated their support. He thanked staff and looked forward to the next two years.

Mayor Smith acknowledged all the presentations and all who were involved. She extended good luck and congratulations to all the graduates, noting she spoke at the commencement exercises for Coram Deo Academy. She added that \$2.9 million in scholarships was offered to the 20 graduates. She noted that Jim Nelson, father-in-law of Senator Jane Nelson, passed last week.

L. TOWN MANAGER REPORT

Town Manager Harlan Jefferson stated the Town had received signed easements for FM 2499 sound wall, Section 2, and the Town had put bids out for the sound wall south of FM 3040. Mr. Jefferson stated the Alumni Associations for the Police and Fire Citizen Academies were celebrating Citizens on Patrol on May 23. He thanked the public safety staff from Highland Village and Lewisville for their mutual aid at an accident earlier in the day.

M. CONSENT ITEMS

Councilmember Lindsey made a motion to approve by consent, Items 2, 3, 4, 5, 6, and 7. Councilmember Filidoro seconded the motion. Each item, as approved by consent, is restated below along with the approved recommendation for each, for the record.

- 2. Consider approval of minutes from a regular meeting of the Town Council held on May 5, 2008.**

RECOMMENDATION: Approve minutes from a regular meeting of the Town Council held on May 5, 2008.

- 3. Consider approval of canceling the July 7, 2008 regular meeting of the Town Council.**

RECOMMENDATION: Approve canceling the July 7, 2008 regular meeting of the Town Council.

- 4. Consider approval of an ordinance vacating and abandoning 7.5 feet of the existing 15-foot utility easement located along the west property line of Lot 16, Block 2, Regency Park Addition. The Regency Park Addition is generally located south of FM 1171, east of Bruton Orand Boulevard.**

RECOMMENDATION: Approve Ordinance No. 32-08 vacating and abandoning 7.5 feet of the existing 15-foot utility easement located along the west property line of Lot 16, Block 2, Regency Park Addition. The Regency Park Addition is generally located south of FM 1171, east of Bruton Orand Boulevard. The caption of the ordinance reads as follows:

ORDINANCE NO. 32-08

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, VACATING AND ABANDONING 7.5 FEET OF THE EXISTING 15-FOOT UTILITY EASEMENT LOCATED ALONG THE WEST PROPERTY LINE OF LOT 16, BLOCK 2, REGENCY PARK ADDITION, AN ADDITION TO THE TOWN OF FLOWER MOUND, DENTON COUNTY, TEXAS; DETERMINING THAT THERE IS NO CURRENT NOR PROJECTED FUTURE NEED FOR PORTION OF SAID EASEMENT DEPICTED IN EXHIBIT "A"; REQUIRING A HOLD HARMLESS AGREEMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

5. Consider approval of the purchase of one 6-7 yard dump truck from Fort Worth Freightliner/Sterling Acterra Truck, through the Texas Procurement and Support Services (TPASS) cooperative, for the Public Works Division, in the amount of \$57,868.

RECOMMENDATION: Approve the purchase of one 6-7 yard dump truck from Fort Worth Freightliner/Sterling Acterra Truck, through the Texas Procurement and Support Services (TPASS) cooperative, for the Public Works Division, in the amount of \$57,868.

6. Consider approval of a master professional services agreement with Webb Watch Corporation to perform financial consulting services in an amount not to exceed \$20,000 and authorization for the Mayor to execute same on behalf of the Town.

RECOMMENDATION: Approve a master professional services agreement with Webb Watch Corporation to perform financial consulting services in an amount not to exceed \$20,000 and authorize the Mayor to execute same on behalf of the Town.

7. Consider approval of an Amended Youth Sports Facility Agreement with the Flower Mound Youth Sports Association that adds language for organizing and offering a youth football league, and authorization for the Mayor to execute same on behalf of the Town. (The Parks, Arts & Library Services (PALS) Board recommended approval of the Agreement by a vote of 10-0 at its May 8, 2008 meeting.)

RECOMMENDATION: Approve an Amended Youth Sports Facility Agreement with the Flower Mound Youth Sports Association that adds language for organizing and offering a youth football league, and authorize the Mayor to execute same on behalf of the Town.

VOTE ON THE MOTION

AYES: Filidoro, Levenick, Tasker, Trotter, Lindsey
NAYS: None

N. REGULAR ITEMS

8. SUP/SP 371-08 154 Red Oak Lane-Accessory Dwelling
Public Hearing to consider a request for a Specific Use Permit (SUP/SP 371-08 - 154)

Red Oak Lane) to permit a 1,574-square-foot accessory dwelling and request an exception to the street standards as permitted by Section 90-301 of the Code of Ordinances, and to consider adopting an ordinance providing for said amendment. The 2.44-acre property, zoned Single-Family Estate District (SF-E), is located at 154 Red Oak Lane. (The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its April 28, 2008, meeting.)

Staff Presentation

Doug Powell, Executive Director of Development Services, stated the land use and zoning were appropriate for the requested accessory dwelling. The accessory dwelling would be used for relatives and visitors, and the building could not be used for rent.

Questions from the Governing Body and Answers None

Public Comments

Carol Kohankie, 4312 Lauren Way, Flower Mound

Ms. Kohankie stated she had known the Deering family for quite some time, and they had wonderful family values.

Close Public Hearing

Council Deliberation

Councilmember Tasker moved to approve Specific Use Permit SUP/SP 371-08 - 154 Red Oak Lane Accessory Dwelling to permit construction of a 1,574-square-foot accessory dwelling, and an exception as permitted by Section 90-301 of the Code of Ordinances to allow the existing Red Oak Lane to remain without any further roadway improvements and adopt Ordinance No. 33-08 for said amendment; subject to the following conditions:

- a. The accessory dwelling shall be developed in accordance with Section 98-983 - Accessory Dwelling, of the Code of Ordinances.
- b. The attached site plan and elevations, labeled Exhibit "A," an exhibit to the Specific Use Permit, shall be developed as approved, except that certain minor changes outlined in Section 82-37 of the Town's Land Development Regulations may be approved as set forth in that section.
- c. If a building permit application has not been submitted to the Town's Building Inspections Division for consideration within six months of approval of the ordinance, the Specific Use Permit described herein will be a matter that will be automatically placed upon a subsequent Planning and Zoning Commission agenda for consideration as a Town-initiated zoning change under normal zoning amendment procedures.

Councilmember Lindsey seconded the motion. The caption of the ordinance reads as follows:

ORDINANCE NO. 33-08

AN ORDINANCE OF THE TOWN COUNCIL 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 LOT 27 BLOCK A, OF THE FLOWER MOUND FARMS ADDITION, FROM SINGLE-FAMILY ESTATE DISTRICT (SF-E) USES TO SINGLE-FAMILY ESTATE DISTRICT (SF-E) USES, SUBJECT TO SPECIFIC USE PERMIT NO. 371 (SUP 371) TO ALLOW FOR AN ACCESSORY DWELLING, IN ACCORDANCE WITH THE TOWN'S MASTER PLAN 2001 AND IN ACCORDANCE WITH SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON THE MOTION

AYES: Lindsey, Trotter, Tasker, Levenick, Filidoro

NAYS: None

O. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

- Special meeting on May 29
- June 2, June 16 - no conflicts

P./Q. CLOSED/OPEN MEETING

The Town Council convened into a closed meeting at 7:22 p.m. on May 19, 2008 pursuant to Texas Government Code Sections 551.071, 551.072, 551.074, and 551.087 to discuss matters relating to consultation with Town Attorney, pending litigation, real property, and economic development negotiations and reconvened into an open meeting at 8:47 p.m. on May 19, 2008 to take action on the items as follows:

a. Discuss and consider economic development incentives.

No action taken.

b. Discuss and consider acquisition and/or lease of real property for municipal purposes and all matters incident and related thereto.

No action taken.

c. Discuss and consider election of Mayor Pro Tem.

Councilmember Tasker moved to elect Councilmember Trotter as Mayor Pro Tem. Councilmember Filidoro seconded the motion.

VOTE ON THE MOTION

AYES: Filidoro, Levenick, Tasker, Trotter, Lindsey

NAYS: None

d. Discuss and consider election of Deputy Mayor Pro Tem.

Councilmember Filidoro moved to elect Councilmember Lindsey as Deputy Mayor Pro Tem. Councilmember Tasker seconded the motion.

VOTE ON THE MOTION

AYES: Lindsey, Trotter, Tasker, Levenick, Filidoro

NAYS: None

- e. **Discuss and consider appointments to the Board of Adjustment, Community Development Corporation and Planning and Zoning Commission.**

No action taken.

R. ADJOURN REGULAR MEETING

Mayor Smith adjourned the regular meeting at 8:50 p.m.

S. CALL WORK SESSION TO ORDER

Mayor Smith called the work session to order at 8:51 p.m.

T. WORK SESSION ITEM

9. **Discuss an amendment to the Land Development Regulations through the repeal of Chapter 94, "Vegetation."**

Jared Martin, Environmental Resources Analyst, gave the following presentation.

Council Discussion

Small Tree Group Issue

The consensus of the Council was to go with staff's recommendation of 13", 19" and 25" trees.

Buildable Area Definition/Mitigation

Mayor Smith asked if there was ever a time that an easement was put on property that was not a Town easement.

Town Attorney Terry Welch stated there could be easements for other utilities or entities.

Matt Woods, Director of Environmental Services, a pipeline easement was a possibility.

Mayor Smith stated she would prefer the section to be used on Town-mandated easements, however that probably would be a rare occurrence. She wondered if TxDOT might decide to build more roads that the Town was not aware of.

Mr. Welch commented that TxDOT regulations would override the Town's tree ordinance.

Mayor Pro Tem Trotter asked if the Town-owned easements could be handled on a case-by-case basis.

Mr. Welch responded there could be a provision for an exception procedure added to the ordinance with specific criteria.

Councilmember Tasker asked about the 1 for 1 tree replacement on the buildable area mitigation. He asked if that would have to be done on that particular property.

Mr. Martin stated it would have to be on that site or on a site agreed to by the Town.

Councilmember Tasker asked if this would allow for a developer to make trees available to individuals to put it in their yard or business landscape. He stated Colleyville was doing that now, and he would like to explore that type of program.

Mayor Pro Tem Trotter stated he liked being able to preserve the trees, 1-1. As opposed to saying they had to replace a certain percentage of the trees, he asked if there was a way to put an option in the ordinance, where through the development process it had to be approved by the P&Z and then recommended to the Council.

Mr. Welch asked if he was meaning the Council's ability to say, based on the specifics of a tract of land, it may be feasible for a developer to transplant a certain number of trees on the property and another number off-site (public or private), subject to Council approval with a development application.

Mayor Pro Tem Trotter stated the ordinance could have the 1 for 1 mitigation requirement, and if the trees would not fit, as the project went through the development process, they would have the option to request providing a number of trees on the site and another number donated to the public sector or private, subject to the discretion of the P&Z and Council.

Deputy Mayor Pro Tem Lindsey liked the idea of the program, and suggested leaving it only at the public stage right now.

Councilmember Filidoro asked if there could be a staff certificate that staff concurred.

Mr. Martin stated he would look into the potential for public/private planting.

Incentives for Preservation

Mr. Martin stated the incentives were meant to encourage preservation.

Councilmember Tasker stated the issue was dealing with the expense and cost to the developer. He asked if staff had reviewed any potential economic incentives for the developers who want to preserve more trees above and beyond the proposed incentives.

Mr. Jefferson commented that mitigation relief was already a part of the 1993 ordinance.

Mr. Welch stated the Town **could not offer that for residential - only non-residential.**

Mayor Pro Tem Trotter had a concern that historically the Town used economic development incentives to lure companies to Flower Mound. He was concerned if the Town might be taking that "piece of the pie" out for tree protection. He felt it might limit how much can be offered to a potential developer.

Councilmember Tasker stated if Flower Mound was a Tree City USA, it needed to act like it. He anticipated the SMARTGrowth Commission would be coming forward with a request for a green community, and the Town needed to be willing to shoulder some of the burden for tree preservation.

Mayor Smith commented that might need to be in the economic development policy.

Councilmember Filidoro was concerned with being arbitrary, especially if the size of an incentive might out weigh what was trying to be done. He stated the Town needed to make sure and look at the ways someone could abuse this.

Mr. Welch stated standards would have to be establish to govern any abatements, etc.

Councilmember Tasker commented sometimes the Town put developers "through the hoops" and the building ended up not being something that was desired.

Mechanism for Mitigation Relief

Mr. Martin stated many of the areas had already been damaged, and staff recommended leaving the current exception in place. He noted the creation of the map occurred since the work sessions were held for the Environmental Conservation Commission and the Planning and Zoning Commission.

Mr. Jefferson commented this had **always been staff's recommendation.**

Mayor Smith commented that much time and effort had been put into the Lakeside Business District, and she did not want to destroy what was already put in place years ago.

Mr. Welch stated the vested rights could not be changed since they had been in the ordinance for many years.

The consensus of the Council was to stay with the staff recommendation.

Trees in Power Line Easements

Councilmember Tasker stated this was another example of a tree planting program. He did not want to **end up with a “shrubbery row.”**

Urban Forest Definition

The consensus of the Council was to remove the **“Urban Forest”** information/definition from the draft ordinance.

Mayor Pro Tem Trotter referred to alternate sites for tree mitigation and he felt more comfortable by keeping it Town land when allowing developers to plant trees in those alternate sites. When parkland and Town property were filled, then the private areas could be pursued.

Councilmember Tasker asked if the proposed ordinance had gone to the development community to see if they would have problems if this ordinance passed.

Mayor Smith asked if this could go to the Economic Development Advisory Committee.

Mr. Jefferson responded yes. He noted Ron Stewart, representing the development community, had spoken to the P&Z, and some of his suggestions were incorporated in the draft ordinance. There was not a stakeholders group. Some of the developers were concerned that they had to put up so much money on the front end to do the tree survey before their development had even been considered. He stated staff would send this back to the Economic Development Advisory Committee, if Council desired.

Councilmember Tasker stated there did not have to be a stakeholders group - he just wanted to know what type of economic impact this might have. He did want to see that projects would not be economically feasible if they have to abide by the provisions of the ordinance.

Mayor Smith asked the Council to think about putting any extra trees on land that might be in a conservation easement or a land trust. She also asked if trees could be put into the scenic corridor in the Cross Timbers District, noting the River Walk property had some Mexican plums and other small trees. She asked if it would be feasible for the owners of the property to let people on the property to dig up trees and take them to be planted somewhere else. She noted there would be **50'** strips on FM 2499 where the trees would not be touched. Within the untouched area, she asked if people would be allowed to go in and clean up the understory.

Mr. Martin suggested not removing the young trees.

ADJOURNMENT

Mayor Smith adjourned with work session at 10:00 p.m. on May 19, 2008 and all were in favor.

JODY SMITH, MAYOR

ATTEST:

PAULA J. PASCHAL, TOWN SECRETARY