

**THE FLOWER MOUND TOWN COUNCIL REGULAR MEETING HELD ON THE 6<sup>TH</sup> DAY OF OCTOBER 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
Tim Trotter	Mayor Pro Tem
Joel Lindsey	Deputy Mayor Pro Tem
Al Filidoro	Councilmember Place 2
Jean Levenick	Councilmember Place 4
Jeff Tasker	Councilmember Place 5

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

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

**A. CALL MEETING TO ORDER**

Mayor Smith called the meeting to order at 6:05 p.m.

**B. CALL BRIEFING SESSION TO ORDER**

Mayor Smith called the briefing session to order at 6:05 p.m.

**C. BRIEFING SESSION**

**1. Mayor and Town Council Liaison Reports**

Councilmember Levenick stated the Planning & Zoning Commission requested an orientation for the new members. She noted that the Commission members desired to have an automated agenda process within one year.

**2. Discuss Pending Issues**

a. **Council Communications** - None

**3. Comments on Consent and Regular Items** - None

**4. Discuss Future Agenda Items**

Mayor Smith stated she had been approached by a citizen with an initiative regarding a historical video. She asked the Council to think about directing the Parks, Arts, and Library Services (PALS) Board to work on the project.

**D. ADJOURN BRIEFING SESSION**

**E. CALL REGULAR MEETING TO ORDER**

Mayor Smith called the regular meeting to order at 6:08 p.m.

**F. INVOCATION**

Chaplain Mark Sherrill gave the Invocation.

**G. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG**

Chaplain Sherrill led the pledges.

**H. PUBLIC PARTICIPTION**

Elizabeth Covington, 2845 London Lane, Flower Mound

Ms. Covington stated the issue of an off-leash dog park was not over. She listed the benefits of a dog park and noted that the City of Lewisville had broken ground on their dog park, and other cities were doing the same. She asked the Council to reconsider their decision to eliminate a dog park from the park plan.

Robert Rogers, 3865 Cedar Crest Court, Flower Mound

Mr. Rogers stated he wanted to erect a small homeowner-sized windmill. He felt it would be more energy efficient, however Flower Mound did not allow windmills for power at this time. He asked the Council to adopt reasonable regulations.

**I. PRESENTATIONS**

**Battle for the Diamond Softball Game - Trophy Presentation to Fire Department**

Melissa Hammerquist of the Flower Mound Citizens Police Academy Alumni Association presented the trophy to the Fire Department for winning the softball game this year. She presented signed baseballs and posters to the Police and Fire Departments.

**J. MAYORAL/COUNCILMEMBER ANNOUNCEMENTS**

Councilmember Filidoro stated he attended the Battle of the Diamond game and much fun was had by all.

Mayor Smith commented that on July 25, 2007, Officer Kevin Schmidt was seriously injured in a motorcycle accident. He was now back on duty as a patrol officer. She announced that early voting begins October 20 for the November 4 election.

**K. TOWN MANAGER REPORT**

Town Manager Harlan Jefferson stated flags were at half mast yesterday in recognition of fallen firefighters. He reminded everyone of the National Night Out events for the evening of October 7, 2008.

**L. CONSENT ITEMS**

Mayor Pro Tem Trotter made a motion to approve by consent, Items 1, 2, 3, 4, and 5. Deputy Mayor Pro Tem Lindsey seconded the motion. Each item, as approved by consent, is restated below along with the approved recommendation for each, for the record.

1. **Consider approval of minutes from a regular meeting of the Town Council; and special meetings of the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District; and the Town of Flower Mound Crime Control and Prevention District held on September 15, 2008.**

**RECOMMENDATION:** Approve minutes from a regular meetingwork session of the Town Council; and special meetings of the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District; and the Town of Flower Mound Crime Control and Prevention District held on September 15August 12, 2008.

2. **Consider approval of minutes from a work session of the Town Council held on September 18, 2008.**

**RECOMMENDATION:** Approve minutes from a work session of the Town Council held on September 18August 12, 2008.

3. **Consider approval of an ordinance adopting the 2008 tax rolls for the Town of Flower Mound.**

**RECOMMENDATION:** Approve Ordinance No. 60-08 adopting the 2008 tax rolls for minutes from a work session of the Town of Flower Mound. The caption of the ordinance reads as follows: Council held on August 12, 2008.

#### **ORDINANCE NO. 60-08**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, APPROVING THE 2008 TAX ROLLS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

4. **Consider approval of the purchase of Advanced Medical Priority Dispatch System (MPDS) ProQA software, training, and maintenance for the Police Services CAD system from Priority Dispatch Corporation, a sole source provider, in the amount of \$16,705 from Seizure Funds, and authorization for the Mayor to execute same on behalf of the Town.**

**RECOMMENDATION:** Approve the purchase of Advanced Medical Priority Dispatch System (MPDS) ProQA software, training, and maintenance for the Police Services CAD system minutes from Priority Dispatch Corporation, a sole source provider, in the amount of \$16,705 from Seizure Funds, and authorize the Mayor to execute same on behalfwork session of the Town Council held on August 12, 2008.

5. **Consider approval of the purchase of three pumps and associated equipment and controls for the FM 1171 Water Booster Pump Station from Pierce Pump Company, a sole source provider, in the amount of \$68,980.00.**

**RECOMMENDATION:** Approve the purchase of three pumps and associated equipment and controls for the FM 1171 Water Booster Pump Station from Pierce Pump Company, a sole

source provider, in the amount of \$68,980.00.

**RECOMMENDATION:** Approve minutes from a work session of the Town Council held on August 12, 2008.

### **VOTE ON THE MOTION**

**AYES:** Filidoro, Tasker, Trotter, Lindsey, Levenick

**NAYS:** None

### **M. REGULAR ITEMS**

Mayor Smith opened Items 6 and 7.

#### **6. MPA 04-08 Mixed Use Ordinance**

**Public Hearing to consider a request to amend the Master Plan 2001 (MPA 04-08 - Mixed Use Regulations) by amending Section 1.0 Land Use Plan to allow mixed use development and Section 4.0 Urban Design Plan to create architectural standards that apply only to a mixed use development and to consider adopting an ordinance providing for said amendment. (The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at its September 8, 2008, meeting.)**

#### **7. LDR 03-08 Mixed Use Ordinance**

**Public Hearing to consider a request to amend the Land Development Regulations (LDR 03-08 - Mixed Use Regulations) by creating a new zoning district known as the Mixed Use District (MU) together with the enactment of related ordinances necessary to establish the general parameters and guidelines for development within a mixed use development and to adopt an ordinance providing for said amendment. (The Planning and Zoning Commission recommended approval by a vote of 5 to 0 at its September 8, 2008, meeting.)**

### **Staff Presentation**

Executive Director of Development Services Doug Powell stated a Mixed Use Committee was appointed as a result of the Master Plan Steering Committee. The committee recognized the new trend of having residential, offices and retail in one development. At the Planning & Zoning Commission meeting there was discussion about how the uses contained in the district matched up with The River Walk at Central Park. He noted that a Specific Use Permit would be required for veterinary clinics, and a heliport or helistop would be allowed.

### **Questions from the Governing Body and Answers**

Mayor Pro Tem Trotter asked for comments regarding the surrounding neighborhoods. He noted the graduated building heights worked well in The River Walk. He noted the committees mentioned earlier had expressed concerns with high rise buildings along the Lake Grapevine shoreline as a result of citizen input.

#### Steve Pine, 700 Elmwood, Flower Mound

Mr. Pine stated he was a resident of one of the neighborhoods that could be affected, and he assumed that high rise buildings would be located along the lake (particularly the hotel). To take advantage of the lake views, a building would have to be at least three stories tall.

#### Todd Schreiber, 925 Canongate Drive, Flower Mound

Mr. Schreiber stated citizens were concerned with tall buildings directly adjacent to the residential neighborhoods. There was discussion at the stakeholders' committee meetings. The majority of them were in favor of what was before the Council tonight.

Mr. Powell commented anything higher than five stories would take Council approval. The residential buffer was three stories. He noted that during the discussions about buildings on the lakefront, no one wanted a wall of tall buildings that would block out the view or access. He noted the regulations allowed flexibility and the Council would have to grant approval.

### **Public Comments**

Paul Stone, 709 Lake Bluff Drive, Flower Mound

Mr. Stone expressed appreciation to all who had been involved in this process. He stated the ordinance gave more opportunity for public input, and it was a great addition to the Land Development Code and Master Plan.

Elizabeth Brodsky, 2317 Hunters Run, Flower Mound

Ms. Brodsky agreed that the ordinance was a wonderful addition to the Town's Master Plan. She stated development like this would increase the tax base and bring in new businesses.

### **Close Public Hearing**

### **Council Deliberation**

Mayor Smith stated this process started about two years ago and had been very public. She was pleased and excited.

Deputy Mayor Pro Tem Lindsey expressed appreciation for the time and efforts that went into this project. He was glad to see the balance between control, creativity, and flexibility.

Mayor Pro Tem Trotter thanked the members of the committees that were involved in the process, noting there was a very diverse group of committee members. He stated the ordinance opened a number of doors for the Town. He was pleased with the protections in the ordinance that ensured that these types of developments would put the citizens first.

Councilmember Levenick moved to approve a request to amend Master Plan 2001 - MPA 04-08 - Mixed Use Regulations by amending Section 1.0 Land Use Plan and Section 4.0 Urban Design Plan and to adopt Ordinance No. 61— -08 providing for said amendment. Deputy Mayor Pro Tem Lindsey seconded the motion. The caption of the ordinance reads as follows:

### **ORDINANCE NO. 61 -08**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING MASTER PLAN 2001, BY AMENDING ORDINANCE NO. 24-01 IN PART, WHICH ADOPTED MASTER PLAN 2001, THROUGH THE AMENDMENT OF SECTION 1.0 LAND USE PLAN BY ADDING A DETAILED DISCUSSION REGARDING "MIXED USE LAND USE" AND THROUGH THE AMENDMENT OF SECTION 4.0 URBAN DESIGN PLAN BY REPLACING THE ARCHITECTURAL STANDARDS SPECIFIC TO THE "CBD CENTRAL BUSINESS DISTRICT" WITH ARCHITECTURAL STANDARDS APPLICABLE TO BOTH A MU MIXED USE DISTRICT AND THE CBD CENTRAL**

**BUSINESS DISTRICT; REPEALING ALL CONFLICTING ORDINANCES, ORDERS, OR RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**VOTE ON THE MOTION**

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

**Council Deliberation**

Mayor Pro Tem Trotter moved to approve a request to amend the Land Development Regulations LDR 03-08 - Mixed Use Regulations by creating a new zoning district known as the Mixed Use District (MU) together with the enactment of related ordinances necessary to establish the general parameters and guidelines for development within a mixed use development and to adopt Ordinance No. 62— -08 providing for said amendment. Councilmember Filidoro seconded the motion. The caption of the ordinance reads as follows:

**ORDINANCE NO. 62 -08**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY AMENDING SUBPART B, CHAPTER 98 OF THE CODE OF ORDINANCES, ENTITLED "ZONING," THROUGH THE AMENDMENT OF ARTICLE III "DISTRICT REGULATIONS" BY THE CREATION OF A NEW DIVISION 25 ENTITLED "MU MIXED USE DISTRICT" AND THE ENACTMENT OF RELATED ORDINANCES NECESSARY TO ESTABLISH THE SPECIFIC PARAMETERS AND STANDARDS OF SAID DISTRICT, THROUGH THE AMENDMENT OF SUBDIVISION II "REGULATIONS" OF DIVISION 2 "USES" OF ARTICLE IV "SUPPLEMENTARY DISTRICT REGULATIONS" BY THE AMENDMENT OF SECTION 98-952 ENTITLED "USE CLASSIFICATION" BY ADDING THE MU MIXED USE DISTRICT TO THE APPROPRIATE AREAS OF THE TABLE, THROUGH THE AMENDMENT OF DIVISION 3 "DIMENSIONAL REGULATIONS" OF ARTICLE IV "SUPPLEMENTARY DISTRICT REGULATIONS" BY THE AMENDMENT OF SECTION 98-1021 ENTITLED "SCHEDULE OF RESIDENTIAL DIMENSIONAL REGULATIONS" BY ADDING THE MU MIXED USE DISTRICT AND ITS DIMENSIONAL REGULATIONS TO THE TABLE, AND BY THE AMENDMENT OF SECTION 98-1022 ENTITLED "SCHEDULE OF NONRESIDENTIAL DIMENSIONAL REGULATIONS" BY ADDING THE MU MIXED USE DISTRICT AND ITS DIMENSIONAL REGULATIONS TO THE TABLE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**VOTE ON THE MOTION**

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

- 8. SP 34-08 Presbyterian Hospital of Flower Mound**  
Consider a request for a Site Plan (SP 34-08 - Presbyterian Hospital of Flower Mound) to develop a hospital. The property is located east of Long Prairie Road and north of Cross Timbers Road. (The Planning and Zoning Commission recommended

approval by a vote of 5 to 0 at its September 8, 2008, meeting.)

#### Staff Presentation

Executive Director of Development Services Doug Powell showed the location of the proposed hospital within Specific Plan Area (SPA) 10 and the Central Business District. He also pointed out the location of the helipad on the site.

#### Questions from the Governing Body and Answers None

#### Applicant's Presentation

Shannon Kraus, 1919 McKinney Avenue, Dallas, architect

Mr. Krause stated the hospital would preserve many trees. The elevations included a stone façade with plaster. The entry courtyards and gardens would enhance the site.

#### Council Deliberation

Deputy Mayor Pro Tem Lindsey asked about the proposed doctor's building.

Mr. Powell stated the building was still in the first phase, however staff had not received that site plan application. He added that it should be built in conjunction with the hospital.

Councilmember Filidoro moved to approve Site Plan SP 34-08 - Presbyterian Hospital of Flower Mound - to develop a hospital. Councilmember Tasker seconded the motion.

#### VOTE ON THE MOTION

**AYES:** Levenick, Lindsey, Trotter, Tasker, Filidoro

**NAYS:** None

9. **Public Hearing to consider approval of an ordinance amending the Land Development Regulations (LDR 04-06), Subchapter B of the Code of Ordinances of the Town of Flower Mound, Texas, through the replacement of the current Chapter 94, entitled "Vegetation," with a new Chapter 94 to be entitled "Trees." (The Environmental Conservation Commission recommended approval by a vote of 6 to 0 at its January 8, 2008, meeting. The Planning and Zoning Commission recommended approval by a vote of 6 to 0 at its February 11, 2008, meeting.)**

#### Staff Presentation

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





### Questions from the Governing Body and Answers

Deputy Mayor Pro Tem Lindsey asked about the flagging of the trees.

Mr. Martin stated different colors would be used for those trees that will stay and those to be removed.

Deputy Mayor Pro Tem Lindsey commented that the developers wanted the cost of the tree surveys reduced. He asked how staff would confirm that the developer was protecting all the trees that needed to be protected.

Mr. Martin responded they had to provide the numbers of trees on the site and how many would be removed. That, coupled with the flagging, would give staff the ability to verify the numbers on-site.

Mayor Pro Tem Trotter asked Town Attorney Terry Welch about the definition of “predominantly.” He asked how it would address trimming of trees and how drip lines might be affected, especially for post oaks.

Mr. Welch agreed that the term “predominantly” allowed for flexibility and the Town would have to rely on staff interpretation and staff expertise.

Mr. Martin stated staff felt it would cost the developer more to save a tree for which he did not receive credit than to simply remove it. Another reason for the change was that there were many paving systems that staff had researched that allowed closer development to a tree while still preserving the root zone. Mr. Martin stated this could be monitored at site plan approval. This matter had been discussed several times in meetings. He added that staff was prepared to interpret the term “predominantly.”

Deputy Mayor Pro Tem Lindsey was comfortable with giving staff the right to determine “predominantly.”

Mr. Martin stated the rule of thumb when pruning a tree was not to go more than 1/3 into the tissue or critical root zone. He noted that **Calloway's** Nursery had installed special pervious pavement in order to preserve several large trees on the site.

Councilmember Filidoro asked that staff monitor this very closely. It appeared that all the appropriate people and groups had been contacted.

Councilmember Tasker asked if there was any other feedback from the development community that was not on the list.

Mr. Martin stated he was not aware of any items.

Councilmember Tasker commented that in the backup information, one developer requested there be an exception for Town-required easements inside the buildable area of mitigation.

Mr. Martin stated that item was requested, but it was not part of the staff recommendation.

Councilmember Tasker asked what had been incorporated into the draft ordinance as a

result of meeting with the development community.

Mr. Martin responded that aside from the tree survey requirements, staff had changed the word “**completely**” to “predominantly,” and added the flagging of the trees.

Councilmember Tasker asked about off-site planting.

Mr. Martin responded that had always been an option - as long as space was available. He noted that the problem with off-site planting was that it put more of a burden on the Town regarding irrigation, etc.

### **Public Comments**

#### Paul Stone, 709 Lake Bluff Drive, Flower Mound

Mr. Stone stated he liked the draft ordinance. He appreciated the mitigation requirements and the fact that losing trees in buildable areas was no longer a “freebie.” It would cost the developer something. He supported the ordinance.

#### Sylvia Inboden, 2017 Brookville Lane, Flower Mound

Ms. Inboden spoke in support and thanked everyone who had worked on the proposed ordinance. She appreciated the quality of development when the bar was set so high. She noted the pervious surface worked well at the new **Calloway’s** Nursery.

#### Ron Stewart, 218 S. Clearwater, Highland Village

Mr. Stewart stated he had worked on approximately 100 projects in Flower Mound over the last 14 years, and he was very pleased with the proposed ordinance. He did note that if the Town was going to require certain easements, currently TxDOT roads were excluded. He noted roads, utilities and sometimes detention had to be placed in easements. He stated he would like to see that there be some exemptions for the ones required by the Town. He noted his company was working on a 500-acre project with 3000 trees just within the road alignments. He added that he believed more trees could be saved by incentivizing additional preservation credits. He asked that they be able to count trees both within the landscape formulas and the mitigation formulas.

Mayor Smith asked Mr. Stewart if he had seen the use of the word “**predominantly**” and if he had any history with off-site planting in other cities.

Mr. Stewart stated he liked the word “predominantly” and they agreed that it would empower staff to use their expertise, history and knowledge to make decisions. He stated the goal was to save the maximum number of trees. If the word “completely” was used, many more trees would have to be removed. Mr. Stewart commented that many cities allowed off-site planting. The developer would want to first maximize his own site because trees enhanced the site. He stated in the proposed Code, and in reference to the mitigation for specimen trees that were saved, there was a lower number than in the landscape portion of the Code. He stated he would like to see someone get more credit if trees were saved either in conjunction with the same formulas in the landscape portion or an inch for inch equivalency.

### **Close Public Hearing**

### **Council Deliberation**

Deputy Mayor Pro Tem Lindsey was comfortable with the draft ordinance. He still

had concerns with the word “predominantly.” He did not want to open up more loopholes. He noted staff had open dialogue with the developers and received feedback. He felt the ordinance was not perfect, but it was better than the current Code.

Mayor Pro Tem Trotter thanked everyone who had been involved with the process. He felt this made the Town’s goals for Tree City USA stronger. He agreed with Deputy Mayor Pro Tem Lindsey’s comments about “predominantly” and was concerned that this might be an ambiguous portion of the ordinance. He stated he would consider removing that portion and addressing it at another time.

Councilmember Filidoro stated the Town had made modifications over the years to the tree ordinance, and he supported the proposed ordinance.

Councilmember Tasker commented that he had some issues with the origin of the ordinance. It took quite a long time to get to this meeting, and he felt it was because of the origin. He stated this did not come about as a request of the Council. Some additional steps had to be taken which had slowed down the process, as this was not the first time that the Council had seen the ordinance. A step was taken less than a month ago that he had requested several times in contacting the development community. He stated he was troubled to see how few of the ideas from the development community were actually incorporated into the draft ordinance. One that was significant to him (which was not part of the presentation to the Council) was the idea of exempting Town-required easements in the buildable area mitigation requirements. He asked to see if that requirement could be added to the ordinance. He added that using the word “predominantly” could mean anywhere between 51% and 99%. He stated he could support “no less than 2/3” as “predominantly” as this would be a fair way to protect the 1/3 rule and allow additional trees to be preserved. Councilmember Tasker stated there might be some unintended results with this ordinance.

Mayor Smith agreed with Councilmember Tasker about the exemptions for land in Town easements. She was in favor of having off-site planting in detention areas. She stated she would like to see supportive data after staff enforces the ordinance using the word “predominantly” for a period of time.

Mayor Pro Tem Trotter moved to Ordinance No. 63— -08 amending the Land Development Regulations (LDR 04-06), Subchapter B of the Code of Ordinances of the Town of Flower Mound, Texas, through the replacement of the current Chapter 94, entitled “Vegetation,” with a new Chapter 94 to be entitled “Trees.” Councilmember Filidoro seconded the motion.

Councilmember Tasker motioned to amend the motion to include an exemption for Town-required easements. Deputy Mayor Pro Tem Lindsey seconded the amended motion.

Town Attorney Terry Welch clarified that Councilmember Tasker meant for his amendment to amend proposed Section 94-29 under Exemptions that are included in the ordinance.

The caption of the ordinance reads as follows:

**ORDINANCE NO. 63 -08**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, THROUGH THE REPLACEMENT OF THE CURRENT CHAPTER 94, ENTITLED**

**“VEGETATION,” WITH A NEW CHAPTER 94 ENTITLED “TREES;” REPEALING ALL CONFLICTING ORDINANCES, ORDERS, AND RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**VOTE ON THE AMENDMENT:**

**AYES:** Tasker, Lindsey, Levenick  
**NAYS:** Filidoro, Trotter

**VOTE ON THE AMENDED MOTION:**

**AYES:** Levenick, Lindsey, Tasker, Filidoro  
**NAYS:** Trotter

**N. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS**

- October 20 meeting - Mayor Pro Tem Trotter and Deputy Mayor Pro Tem Lindsey - absent
- October 16 meeting - Councilmember Filidoro absent

**O./P. CLOSED/OPEN MEETING**

The Town Council convened into a closed meeting at 7:49 p.m. on October 6, 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, personnel, real property, and economic development negotiations and reconvened into an open meeting at 10:55 p.m. on October 6, 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 appointments to the Community Development Corporation, Environmental Conservation Commission, Parks, Arts, and Library Services (PALS) Board, Planning & Zoning Commission, Tax Increment Reinvestment Zone (TIRZ) Board, and the Transportation Commission.**

No action taken.

**d. Discuss and consider annual review of Town Manager.**

No action taken.

**e. Discuss and consider annual review of Town Secretary.**

No action taken.

f. Discuss and consider annual review of Town Attorney .

No action taken.

Q. ADJOURN SPECIAL MEETING

Mayor Smith adjourned the meeting at 10:56 p.m. and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

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JODY SMITH, MAYOR

ATTEST:

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PAULA J. PASCHAL, TOWN SECRETARY

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