

THE FLOWER MOUND TOWN COUNCIL SPECIAL MEETING, TOWN OF FLOWER MOUND FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT SPECIAL MEETING, and TOWN OF FLOWER MOUND CRIME CONTROL AND PREVENTION DISTRICT SPECIAL MEETING HELD ON THE 26th DAY OF AUGUST, 2010 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 special meeting with the following members present:

Melissa Northern	Mayor
Al Filidoro	Mayor Pro Tem
Tom Hayden	Deputy Mayor Pro Tem
Steve Dixon	Councilmember Place 2
Mike Wallace	Councilmember Place 3
Steve Lyda	Councilmember Place 4

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

Harlan Jefferson	Town Manager
Paula Paschal	Town Secretary
Chuck Springer	Assistant Town Manager/Chief Financial Officer
Kent Collins	Assistant Town Manager
Kenneth Brooker	Police Chief

A. CALL BRIEFING SESSION TO ORDER

Mayor Northern called the briefing session to order at 6:00 p.m.

B. INVOCATION

Councilmember Lyda gave the invocation.

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

Councilmember Lyda led the pledges.

D. REGULAR ITEMS

- 1. Public Hearing to consider the Proposed Budget for the fiscal year beginning on October 1, 2010, and ending on September 30, 2011.**

Staff Presentation

Assistant Town Manager/Chief Financial Officer Chuck Springer gave a power point presentation regarding the proposed budget.

Questions From Town Council

Mayor Northern clarified that the holiday stroll was the Town's participation in conjunction with Parker Square.

Mr. Springer responded yes.

Mayor Pro Tem Filidoro asked if the laserfiche process was included in the proposed budget.

Mr. Springer commented that it was not funded at this time, and he would address that request later.

Mayor Northern asked if West Windsor would be paid for out of funds from selling the property that fronted FM 2499.

Mr. Springer stated there would also be some grant funding.

Councilmember Wallace asked if the Charter required 10% of reserves in the stormwater utility fund.

Mr. Springer commented that the Charter did not address the stormwater utility fund reserve level.

Deputy Mayor Pro Tem Hayden asked when the West Windsor speed signs and landscape feature would be added to the CIP.

Mr. Springer stated staff had ordered two dynamic signs that should be installed within 60 days. He noted there were leftover funds from the design of West Windsor that were still available.

Public Comments **None**

Close Public Hearing

No action taken.

Mayor Northern opened Items 2 and 3 together.

2. **Public Hearing by the Town Council acting as the Board of Directors for the Town of Flower Mound Fire Control, Prevention, and Emergency Medical Services District to consider the Flower Mound Fire Control, Prevention, and Emergency Medical Services District proposed budget for the fiscal year beginning on October 1, 2010, and ending on September 30, 2011.**
3. **Public Hearing by the Town Council acting as the Board of Directors for the Town of Flower Mound Crime Control and Prevention District to consider the Flower Mound Crime Control and Prevention District proposed budget for the fiscal year beginning on October 1, 2010, and ending on September 30, 2011.**

Staff Presentation

Assistant Town Manager/Chief Financial Officer Chuck Springer stated the police and

fire service enhancements included two new police beats for a total of eight beats and constructing two additional fire stations. Mr. Springer gave the following presentation.

Questions From Town Council

Mayor Pro Tem Filidoro emphasized that it was important that both police and fire district sales taxes had helped the Town. The Town had proven that the taxes were used as promised. Businesses and residents had all benefitted. He hoped that the sales taxes would be reauthorized by an election in November 2011.

Public Comments **None**

Close Public Hearing

Council Deliberation

No action was required or taken.

Mr. Springer returned to Item 1 to address issues that were raised at the budget work session on August 12. He gave the following presentation regarding fees.

Mayor Northern asked about the fees at the Community Activity Center.

Mr. Springer stated the fees would cover clean-up duties and overtime. Right now there was no charge to use the pavilion. He added that the fee ordinance would be on the September 7 agenda.

Mr. Springer reviewed the oil and gas revenues that were collected. The proposed change would be to increase annual inspection fees to \$1,500 from \$500. He asked the Council if they wanted to wait for the recommendation from the Oil and Gas Advisory Board or move forward with the increases on September 7. He noted that the proposed change was on a per well basis.

Councilmember Wallace supported the proposed changes. He asked if they would be effective for the Hilliard wells.

Mr. Springer stated that payment was due on the one year anniversary of the initial drilling of the well. There would be many inspections during the drilling activity.

Councilmember Wallace asked if the Town had doubled the application fee recently.

Mr. Springer stated the fees were set to monitor the wells over their lifetime.

Councilmember Lyda supported the change. He asked if the range of re-inspection fees was governed by the state.

Mr. Springer did not believe they were governed by the state.

Councilmember Lyda asked if the fees were based on the average of the costs for equipment.

Mr. Springer responded yes.

Mayor Northern commented that the Council did expect a recommendation from the Oil and Gas Advisory Board.

Mr. Jefferson stated the fee schedule for oil and gas wells had been moved out of the gas ordinance. He stated the Council might want to consider moving forward with the fees, particularly for the monthly inspections.

Deputy Mayor Pro Tem Hayden asked staff to see what other cities were doing. He asked who the Town would be contracting with for the quarterly inspections and what the responsibilities would be.

Mr. Springer stated he would bring information on September 7 regarding the survey cities along with details on what the program would entail.

Deputy Mayor Pro Tem Hayden supported starting right away on the inspections.

Mayor Northern asked if training was included in the costs.

Mr. Springer stated there was some initial training on the use of the equipment once it was purchased.

Mayor Pro Tem Filidoro asked for a list of what the Town was doing now and what it was going to do. He asked what someone would charge the Town or a gas producer to do the inspections. He was interested in the inspector having certifications on how to work the equipment. He asked for a market value analysis, and added the Town might have to look at hiring another person.

Mr. Springer stated he would send out a Council Communication then bring back an item for final action on September 20.

Councilmember Dixon wanted to see a menu of items (services and costs) and a tally of the numbers. He wanted regular inspections while the drilling process was going on. If there were more inspections during the drilling process, the Town might need to increase the application fee. He asked when staff anticipated being able to do the inspections on the existing wells and on the new wells.

Mr. Springer stated the Town would have to obtain the equipment and train personnel, so it would probably be around October 1.

Mr. Jefferson stated that the Town had acquired some of the equipment, and it was already in use in the field.

Councilmember Wallace stated he would like to see real world examples of inspections and costs, (today), vs. instituting the proposed changes.

Mayor Northern stated the Town needed to plan forward as the Oil and Gas Advisory Board would bring recommendations and things may change.

Councilmember Dixon asked staff to put the inspection data on the website for each gas well. If the Town needed more resources, that should be added into the costs.

Mayor Northern stated staff should determine if the Town would have to add another employee or if a firm would be considered.

Mayor Pro Tem Filidoro wanted people to see the 24-hour monitoring readout. He asked the Town to have a link to TCEQ on the website.

Mr. Jefferson stated that TCEQ would do the ozone inspections.

Deputy Mayor Pro Tem Hayden noted that the permit for wells on the Hilliard property were approved today. He understood that TCEQ would have monitoring equipment at Fire Station #2. He asked if it was possible to alternate between the Fire Station and maybe Shadow Ridge Middle School.

Mr. Jefferson stated staff made that request and TCEQ said they would look at it. He was concerned with the validity of the data with moving the monitoring station.

Councilmember Wallace asked if the Oil and Gas Advisory Board was going to be tasked with looking at fees.

Mr. Jefferson responded that they would focus on the oil and gas ordinance and pipeline ordinance. They will not automatically look at these fees. Council could direct them to look at the fees, however.

Mr. Springer addressed the CAC business rate for other organizations such as the Rotary Club, Chamber of Commerce and Summit Club. The rates would be for members of those organizations that did not reside in Flower Mound.

Mr. Springer addressed retiree insurance costs.

Mayor Pro Tem Filidoro addressed the golf cart crossing on West Windsor and asked staff to look at a fisheye mirror device at this location.

Deputy Mayor Pro Tem Hayden asked if the raised median was something to do now, or when the land was sold and the Windsor extension was under construction. He noted that many people were impacted, so staff needed to make sure everyone was invited to the 30/60/90 design meetings.

Mr. Springer addressed the sales tax projections for this year. This projection is \$6.6 million.

Mr. Springer addressed the street lights that would be funded from the \$60,000 in the utility fund. There are 19 locations that have been requested and warranted.

Mr. Springer addressed alarm permits. He provided a comparison between Flower Mound and the benchmark comparison cities. The average permit fee is \$33 for residential for the benchmark cities. He stated the Council could consider informing the community that we may consider fee changes in the future.

Deputy Mayor Pro Tem Hayden asked what type of revenue this would produce if it was collected annually as other cities do.

Mr. Springer stated there have been approximately 12,000 permits since inception of the permit fee. He stated he does not know if that has increased or decreased and anticipates over \$100,000 in revenue. There would be some costs in terms of collection. He stated a type of cost recovery in terms of police having to answer the alarms could also be considered.

Deputy Mayor Pro Tem Hayden asked why this could not be instituted this year.

Mr. Springer responded it could be enacted this year.

Mayor Pro Tem Filidoro stated he would like to see this enacted this year. This would also clean up our records with regard to alarm permits.

Councilmember Lyda stated that this sounds like it would be a great deal of work, and we may need to wait until next fiscal year and use this as a revenue source.

Mr. Jefferson stated that if done correctly with regard to updating the records, it will help with police response times.

Councilmember Dixon stated that the fee could be implemented maybe January 1, 2011. That will give staff time to prepare the list and notifications. He would propose the \$25.00 annual fee be maintained.

Deputy Mayor Pro Tem Hayden suggested they take a week or so to review and provide direction.

Mr. Jefferson stated they could discuss on September 7th as well as the other fees.

Mayor Northern asked how would residents receive notice of the fee.

Mr. Jefferson stated we could actively notify residents through the town newsletter and other means.

Councilmember Dixon asked if this was discussed last year on alarms.

Mr. Jefferson replied they conducted a survey last year and it was discussed. At that time, they felt timing was not good because of the economy.

Chief Brooker stated that in the last year or two staff did an ordinance amendment to change the cap from 5-3 for false alarms.

Mr. Springer addressed the CAC rental fee updates including the indoor party room and pavilion to be included in the September 7th fee proposal.

Mr. Springer addressed Laserfiche versus a decentralized approach for records. They are considering paperless for Municipal Court as well as paperless agendas. We are currently also using handheld ticket writers for police as well as police reports that are completed on laptops. Many plans, plats, etc. are also now electronic as well as the Human Resources application process through the website. Therefore, they are looking at paperless applications for individual departments rather than a central system.

Mayor Northern asked how long we would have to lease space to keep the records.

Mr. Springer stated he sees space needs being reduced over time, but some have to be permanent.

Mrs. Paschal stated that one of the advantages of Laserfiche is that you can get rid of paper. She stated there are 1,600 or so boxes in the record center currently.

Mr. Jefferson stated he will discuss this matter at his staff meeting. The decision package is \$250,000. He stated that our practice is not to go to Laserfiche but straight to paperless.

Mrs. Paschal stated that Laserfiche works in conjunction with many other software packages.

Mayor Pro Tem Filidoro asked if both methods allowed people to access documents on -line.

Mr. Springer responded that some of the systems would have to go through the department such as Fire or Police due to privacy requirements. Public information requests would be generated from the Town **Secretary's** Office to the departments that had the information.

Mr. Springer discussed property tax collection estimates. The actual decline in property tax collections will be approximately \$780,000.

Mr. Springer considered budget balancing in other cities and how they are handling this. Some are considering personnel cuts, employee events, mowing services, reducing library

hours, etc.

Deputy Mayor Pro Tem Hayden asked if the Capital Improvement Project (CIP) budget would be discussed. He stated that on September 7th they were going to consider amendments to Morriss Road project. He stated the Council will look at amending the resolution.

Mr. Jefferson asked if Council would like them to address the Morriss Road project amended resolution.

Mr. Collins stated the amended resolution and change order for the Morriss/Gerault project would tie Phase 2 to SMARTGrowth. Therefore, if there is any project or SMARTGrowth Analysis that dictates need for additional capacity would be a trigger for the improvements.

Mayor Northern asked if that relieved the current trigger for the River Walk from funding that.

Mr. Collins stated that the trigger that exists today of 2014 or completion of right-of-way amenity, triggers would no longer exist for Phase 2 and it would simply be tied to SMARTGrowth.

Mayor Pro Tem Hayden asked what the trigger would be. Would it be a Service Level C?

Mr. Collins stated they would need to determine if there is any impacted link. An impacted link is where site generated traffic exceeds 5% of traffic of any link (any stretch between two intersections). If it is an impacted link, a Traffic Impact Analysis (TIA) or capacity analysis - level of service review takes place. If the Level of Service is worse than LOS C, then it fails SMARTGrowth.

Deputy Mayor Pro Tem Hayden asked if it fails SMARTGrowth how would the Town pay for it.

Mr. Collins stated that if the funds are not available to make improvements to roadway, the Town is in a position of deciding whether or not the development can move forward.

Councilmember Lyda stated there should be a trigger on the development of Morriss Road.

Mayor Northern stated there were nine new lights proposed in Pecan Acres. She asked if the Town was using LED lights and the costs.

Mr. Collins replied the Town used them in signal heads but not overhead lights. Staff had looked at the costs, however the technology had not been there. The brightness is not there.

Mayor Northern asked if staff asked the residents if they wanted the lights.

Mr. Collins stated staff conducted the analyses at the request of neighborhoods. The Town would not install the lights if there was not approval from adjacent neighbors.

Mayor Northern asked if there was any cost associated with a phasing approach.

Mr. Collins stated this was an inordinate number of street lights for a year, however they

could be phased in over a number of years. He stated the Town would stretch funding as much as possible.

Mr. Jefferson commented that the Town could end up with having a large number of requests for street lights in Pecan Acres and other older subdivisions. Many times residents close to a dark area requested the lights, however some residents did not care to have the lights.

Mayor Northern stated she had received many letters from residents about not wanting as many lights (light pollution and cost).

Councilmember Lyda stated the LED lights lasted longer but were more expensive. He was also curious about item #11 on the list.

Mr. Collins replied each were evaluated to meet our criteria.

Mayor Northern stated she would be more in favor of a phased approach. She asked for copies of the street light requests that were sent to the Town.

Councilmember Lyda asked staff to prioritize the Pecan Acres lights that would impact the West Windsor extension.

Community Support

Mayor Northern stated the members of Council had submitted their suggestions for Community Support funding. The suggestion was to go back to the \$180,873 (FY 08-09) budget with some changes. She noted that the amount requested for next year was \$249,382. Due to economic times, the Town would not be able to fulfill all the requests.

Councilmember Dixon commented that some organizations would receive increases and some would receive decreases with the proposal. He stated he wanted to see the Town support the organizations that needed the funding the most. It appeared more funding was going to cultural arts. He stated he could not support that.

Deputy Mayor Pro Tem Hayden stated cultural arts are an integral part of the community and makes the community well-rounded. He has attended the Flower Mound Orchestra and it is something that many residents attend.

Councilmember Wallace suggested keeping the total amounts the same as what was funded last year. He proposed giving \$2,500 to Children's Advocacy Center and \$500 to the Actors Conservatory Theatre.

Mayor Pro Tem Filidoro agreed and said it would remain funding neutral.

Councilmember Lyda stated he was fine with the change.

Councilmember Dixon referred to Communities in Schools in North Texas (CISNT). He stated they only proposed \$7,000 for them this year when it was \$10,000 and \$11,000 the last two years. This is a 36% reduction from last year. The organization is a mentoring program where leaders and volunteers in the community help at-risk children with their studies. He proposed adding the \$3,000 to Communities in Schools in North Texas.

Councilmember Lyda stated he believed the goal is to stay in line with 09-10 numbers (

\$183,373). Add another \$1,500 to Communities in Schools in North Texas.

Mayor Pro Tem Filidoro stated he can support Councilmember Dixon's request to increase total by \$3,000 and have it go to Communities in Schools in North Texas.

Following discussion, the consensus of the Council was to consider the amounts below for Community Support funding.

Organizations	Approved 2010-2011
Cultural Arts	
The Actors Conservatory Theatre	\$ 500
Expressions Theater	12,000
Flower Mound Community Orchestra	15,000
Lewisville Lake Symphony	1,000
Voices of Flower Mound	2,000
Sub-Total	\$ 30,500
Social Services/Volunteerism	
Camp Summit	\$ 5,000
CASA of Denton County, Inc.	4,232
Children's Advocacy Center	14,141
Chisholm Trail/RSVP	8,000
Christian Community Action (CCA)	15,000
Communities in Schools of North Texas	10,000
Day Stay for Adults	5,000
Denton County Friends of the Family	15,000
Flower Mound Humane Society	15,000
Girl Scouts of Northeast Texas	-
Lakeside Aquatic Club	-
PediPlace	20,000
SPAN, Inc. (Meals on Wheels)	5,000
Youth and Family Counseling	40,000
Sub-Total	\$ 156,373
Total	\$ 186,873

E. ADJOURN SPECIAL MEETINGS (8:39 p.m.)

F. CALL WORK SESSION TO ORDER (8:39 p.m.)

G. WORK SESSION ITEM

4. **Discuss future election procedures.**

Town Secretary Paula Paschal advised the Town Council that in order to avoid long lines on election day, the Council had two basic options. The Town could choose to move the single polling place to a larger facility, if the candidates only wanted to campaign at one location, or they could choose to have more than one polling location (which would split up the list of registered voters into more manageable numbers. She stated that the high school cafeterias or gyms would be ideal, however the school district had been reluctant in the past to allow the use

of their facilities for safety and security reasons. She added that Denton County Elections Administrator Frank Phillips was willing to work with the decision that the Town made regarding polling places. She noted that whatever location(s) was chosen, adequate parking would have to be available.

Mayor Northern thanked Ms. Paschal for the information and stated the Council would address this matter after the first of the year, prior to the election season.

H. ADJOURN REGULAR MEETING

Mayor Northern adjourned the regular meeting at 8:57 p.m. on Thursday, August 26, 2010, and all were in favor.

TOWN OF FLOWER MOUND, TEXAS

MELISSA D. NORTHERN, MAYOR

ATTEST:

TRACY KNIERIM, INTERIM TOWN SECRETARY