



LITTLE ELM

MEETING

**Town of Little Elm
100 W Eldorado Parkway
Little Elm, Texas 75068-5060**

214-975-0404

<http://www.littleelmtx.us>

PUBLIC HEARINGS

-and-

REGULAR TOWN COUNCIL MEETING

**Tuesday – March 20, 2007 – 7:00 p.m.
Town Hall Center – Council Chambers**

1. **Roll Call/Call to Order Public Hearings and Regular Town Council meeting.**
2. **Pledge to the Flags:**
 - a. United States Flag
 - b. Texas Flag:
**Honor the Texas Flag
I pledge allegiance to thee
Texas, one and indivisible.**
3. **(A) Public Hearing:** to discuss and receive comments on request to rezone approximately 4.0 acres out of the Thomas Navo Survey, Abstract 964, a portion of Lot 1, Block A of the Paloma Creek/380 Business Park Subdivision, from Agricultural (AG) to Planned Development for all Light Commercial uses and allowing for Mini-Warehouses (PD-LC). The property is located on the south side of US Highway 380 and east of Paloma Creek Blvd., Little Elm, Denton County, Texas.

Close Public Hearing.

Discussion and consideration to adopt Ordinance No. 830 an Ordinance of the Town of Little Elm, Texas amending Ordinance No. 226 as amended, “the Comprehensive Zoning Ordinance of the Town of Little Elm,” by changing the zoning classification on the following described property, to wit:

Approximately 4.0 acres out of the Thomas Navo Survey, Abstract 964, a portion of Lot 1, Block A of the Paloma Creek/380 Business Park Subdivision

Agricultural (AG) to Planned Development District (PD) No. 830 for all Light Commercial Uses and allowing for Mini-Warehouses, establishing Use Regulations and Development Standards for the Planned Unit Development District; correcting the official zoning map to reflect such zoning change; providing for a penalty not to exceed \$2000. (Planning Director)

(B) Public Hearing: to discuss and receive comments on request to rezone 10.390 acres out of the Thomas Navo Survey, Abstract 964, a portion of Lot 1, Block A of the Paloma Creek/380 Business Park Subdivision , from Agricultural (AG) to Light Commercial (LC). The property is located on the southeast corner of US Highway 380 and Paloma Creek Blvd, Little Elm, Denton County, Texas.

Close Public Hearing.

Discussion and consideration to adopt Ordinance No. 829 an Ordinance of the Town of Little Elm, Texas amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by changing the zoning on approximately 10.390 acres out of the Thomas Navo Survey, Abstract 964, a portion of Lot 1, Block A of the Paloma Creek/380 Business Park Subdivision (and as more fully described in the Ordinance), from Agricultural (AG) to Light Commercial (LC); correcting the official zoning map; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2000) for each offense. (Planning Director)

(C) Public Hearing: to discuss and receive comments on proposed amendments to Sections 106-50 & 106-51 (Board of Adjustments, Power and Duties) of the Code of Ordinances (Portion of the Town’s Zoning Ordinance), updating to include term limits, additional regulations and powers.

Close Public Hearing.

Discussion and consideration to adopt Ordinance No. 827 an Ordinance of the Town of Little Elm, Texas amending the Code of Ordinances of the Town by amending Chapter 106, Section 106-50 relating to the Board of Adjustments, by adding a provision relating to Alternate Board Members; establishing procedures related to the Board; establishing appeal procedures; amending Chapter 106, Section 106-51 by adding power of the Board of Adjustment; establishing guidelines relative to the Board's powers. (Planning Director)

(D) Public Hearing: to discuss and receive comments on proposed amendment to Section 106-36(m) (Screening walls or Visual Barriers and Open Storage) of the Code of Ordinances (Portion of the Town's Zoning Ordinance), for updates, corrections and clarifications.

Close Public Hearing.

Discussion and consideration to adopt Ordinance No. 828 an Ordinance of the Town of Little Elm, Texas amending the Code of Ordinance of the Town by amending Chapter 106, Section 106-36(m), entitled "Screening Walls or Visual Barriers and Open Storage," by amending the construction requirements and specifications of Screening Walls and Barriers; adding requirements regarding subdivision walls; establishing requirements and prohibitions relating to Open Storage; establishing requirements regarding roof projections; establishing Outdoor Display Standards. (Planning Director)

4. **Presentations and announcement:** Persons may address the Town Council on any issue. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. Please observe the time limit of three (3) minutes. In accordance with the State of Texas Open Meeting Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.072, Texas Government Code.
5. **Presentation, discussion and consideration** regarding Fiscal Year 2006 Audit, Management Letter and Comprehensive Annual Financial Report. (Ronnie Carpenter of Freemon, Shapard & Story)
6. **Consent Agenda: All matters listed under the Consent Agenda are considered to be routine by the Town Council and require little or no deliberation. There will not be a separate discussion of these items and the agenda will be enacted by one vote. If the Council expresses a desire to discuss a matter listed, that item will be removed from the consent agenda and considered separately:**

- a. **Minutes** of the March 6, 2007 Regular Council Meeting
- b. **Minutes** of the March 6, 2007 Pre-Council Meeting
- c. **Minutes** of the March 12, 2007 Work Session
- d. **Preliminary Plat** – Valencia on the Lake, located in the ETJ approximately 1.5 miles southwest of the intersection of Doe Creek and US Hwy 380, along Doe Creek road; 447.945 acres, 1277 lots (Planning Director)
- e. **Re-plat** Paloma Creek/380 Business Park, zoning Agricultural (AG), located at the southeast corner of US Highway 380 and Palomo Creek Blvd; 14.39 acres, 3 lots. (Planning Director)
- f. **Approve** staff recommendation to amend the FY 07 budget by decreasing the General Fund balance by \$10,000 and increasing the Code Enforcement contract labor account by \$10,000 (Code Enforcement)
- g. **Approve** Resolution amending the authorized representatives to Texpool for transmission and withdraw, issuance or correspondence, and to take all other actions deemed necessary or appropriate for the investment of local funds in Texpool. (Finance Director)

7. **Reports and requests for Town Council consideration and appropriate action:**

- a. **Discussion and consideration** to appoint alternate members Elizabeth Parrott and Kristie Mathis and ex-officio member Shawn Crutcher as full members to the Public Relations Committee. (Michael Topor)
- b. **Discussion and consideration** to approve the revised By-Laws for the Public Relations Committee as submitted. (Michael Topor)
- c. **Discussion and consideration** to appoint additional members to the Committee to promote the 4B Sales Tax to help get out the vote for the development of parks and recreation facilities in Little Elm. (Parks Director)
- d. **Discussion and consideration** to approve Resolution No 03200701 a Resolution declaring expectation to reimburse expenditures with proceeds of future debt for the design and construction of street and pedestrian light facilities for the Eldorado Street Lighting Project. (Public Works Director)
- e. **Discussion and consideration** to approve the Master Agreement for Consulting Services and Work Order (Exhibit A & B) between the Town of Little Elm and HNTB Corporation for design of the Eldorado Parkway Illumination Project and authorize Town Manager to execute a contract for the same. (Public Works Director)

- f. **Discussion and consideration to adopt Ordinance No. 831** an Ordinance of the Town of Little Elm, Texas amending the Code of Ordinances Chapter 50 Article 3 Section 50-109 Paragraph 51, by adding the prohibition of the manufacture, storage, and sale of fireworks within 5000 feet of the town limits; providing a penalty for violation of this Ordinance not to exceed the sum of two thousand dollars (\$2000.00) for each offense. (Fire Marshal)
 - g. **Discussion and consideration** to adopt Boards and Commission Membership Appointment Policy. (Town Manager)
 - h. **Discussion and consideration** to set date, place and times for the Council Work Sessions.
8. **The Town Council will hold a Closed (executive) session meeting** pursuant to Chapter 551, Texas Government Code, Vernon's Texas Code Annotated, in accordance with the authority contained in:

Section 551.071 Consultation with Town Attorney to receive legal advice concerning legal matters and contemplated litigations.

- a. Spiritas Ranch
- b. Suntrust Mortgage (Art-a-Rama)
- c. Holly and James Candee (Art –a Rama)
- d. Khosrow Sadeghian and Johnny Houston (809 Hillside Beach Drive)

Discussion and consideration to take any action necessary as the result of the Closed (executive) session.

Section 551.071

- a. Spiritas Ranch
 - b. Suntrust Mortgage (Art –a- Rama)
 - c. Holly and James Candee (Art –a- Rama)
 - d. Khosrow Sadeghian and Johnny Houston (809 Hillside Beach Drive)
9. **FYI:** (All matters are provided to the Town Council for informational purposes only)
- a. Monthly reports for February 2007 – Police Department, Fire Department, Customer Service, Municipal Court, Library, Planning and Development, Finance, Public Works

- b. Atmos Energy Corp. Mid-Tex Division's Statement of Rider GCR for March 2007
- c. TML Legislative Update for March 2, 2007 and March 9, 2007
- d. Budget Calendar

10. **Adjourn.**

Pursuant to the Texas Open Meeting Act, (Chapter 551, Texas Government Code), one or more of the above items may be considered in executive closed session to the public. Any decision on any item will be taken or conducted in open session following the conclusion of the executive closed session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aide of service such as interpreters for the hearing impaired, reader or large print are requested to contact the secretary at 214-975-0404 two days prior to the meeting so appropriate arrangements can be made. **BRILLE IS NOT PROVIDED.**

Respectfully,

Town Secretary

This is to certify that the above notice was posted at the Town Hall Center prior to 4:00 p.m. this 16th day of March 2007.

