



LITTLE ELM

MINUTES

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

214-975-0404

<http://www.littleelmtx.us>

REGULAR TOWN COUNCIL MEETING

Tuesday – March 6, 2007 – 7:00 p.m.

Town Hall Center – Council Chambers

Present:

Frank Kastner, Mayor
Jim Manning, Council member
Brenda Mills, Council member

David Hillock, Council member
Brandon Gerard, Council member

Absent:

Mark Hunsaker, Mayor Pro-tem
Dee Dee Lear, Council member

Also Present:

Ivan Langford, Town Manager
Kathy Phillips, Town Secretary
Tony Chrisman, Parks Director
Tina Hager, Library Director

Robert Brown, Town Attorney
John Taylor, Planning Director
Waylan Rhodes, Police Chief

1. Roll Call/Call to Order Regular Town Council meeting **at 7:05 p.m.**
2. **Pledge to the Flags:**
 - a. United States Flag
 - b. Texas Flag:
3. **Presentations and announcements:** Mayor Kastner informed the council and audience of upcoming Visioning Exercises for the Town on March 8th at the Little Elm High School and March 13th at Lakeside Junior High School.

4. **Presentation:** Library Director, Tina Hager gave a brief presentation regarding Teen Tech Week March 4 – 10th.
5. **Power Point Presentation:** Michael Topor - Public Relation Committee gave the Town Council a report on the following:
 1. **Updated Council** on the 2006/2007 PRC Project, Milestones and Expenditures.
 2. **Introduced Council** to possible 2007/2008 PRC Projects and Milestones.
6. Upon motion by Council member Gerard and second by Council member Manning the members **voted unanimously to approve the consent agenda consisting of:**
 - a. **Minutes** of the February 20, 2007 Public Hearing and Regular Council Meeting
 - b. **Minutes** of the February 20, 2007 Pre-Council Meeting
 - c. **Acceptance** of the 2006 Racial Profiling Report (Police Chief)
7. **Reports and requests for Town Council consideration and appropriate action:**
 - a. Upon motion by Council member Hillock and second by Council member Gerard the members **voted unanimously to deny Preliminary Plat – Spiritas Ranch West Tract 2.**
 - b. Upon motion by Council member Hillock and second by Council member Gerard the members **voted unanimously to approve Resolution No. 03060701** a Resolution of the Town of Little Elm approving the Eldorado Parkway Streetscape Concept Plan.
 - c. Upon motion by Council member Mills and second by Council member Manning the members **voted unanimously to adopt Ordinance No. 826** an Ordinance of the Town Council of the Town of Little Elm, Texas, adopting changes to the Town's District Boundary Map for Places 3 and 5; adding land annexed by Ordinance No. 790 to Place 3; adding land annexed by Ordinance No. 792 to Place 3; adding land annexed by Ordinance No. 829 to Place 5.
 - d. Upon motion by Council member Gerard and second by Council member Manning the members **voted 3 for 1 abstain (Mills) to approve Agreement for Services and Lease of Town Facilities** between the

Town of Little Elm and the Little Elm Area Food Bank. (with the following changes: **On page 4 of 6 Section 6. Accounting, delete “and audited by an independent Certified Public Accountant” and add sentence at end of paragraph to state “ The Town shall have the right to require an audit of all financial statements by an independent certified Public Accountant, provided that all such audit cost shall be borne by the Town”.**)

- e. Upon motion by Council member Gerard and second by Council member Hillock the members **voted unanimously to adopt Ordinance No. 823** an Ordinance of the Town of Little Elm, Texas adopting Article VIII of Chapter 102 of the Code of Ordinances relating to Solid Waste Disposal; establishing a purpose; adopting definitions; requiring service; establishing limitations and prohibited activities; providing for customer responsibilities; establishing procedures for adoption of Solid Waste Collection Rates; establishing types of service provided; establishing schedules for service; requiring use of specified containers; providing a penalty. (with the following changes: **Page 11 Sec. 102-417 (f) strike the word “recyclable” in both the first and next to last sentence. Sec. 102-419 Strike the “first sentence” and add “ Brush bundles are not to be greater than 2 x 2 x 4 foot and must be tied and bundled and shall not weigh more than fifty (50) pounds”. Also in the last sentence of Sec. 102-419 strike the word “approved”. On page 14 Sec. 102-433 (c) In the middle of the paragraph delete “If the non-residential facility is a non-conforming structure” and add “If the non-residential facility is a non-conforming structure” in regard to the masonry structure requirements, “and has less than 75% masonry content”.**
- f. Upon motion by Council member Hillock and second by Council member Mills the members **voted unanimously to adopt Resolution No. 03060702** a Resolution of the Town Council of the Town of Little Elm, Texas supporting the passage by the citizens of Little Elm the creation of a Community Development Corporation and adoption of the 4B Sales Tax.
- g. Upon motion by Council member Hillock and second by Council member Gerard the members **voted unanimously to appoint: Jerry Beliveau, Linda Kastner, Pat Adams, Virginia Berney, Doris Rogers, Linda Jansen, Frank Kastner and David Hillock** as members to a Committee to promote the 4B Sales Tax passage.
- h. Upon motion by Council member Manning and second by Council member Gerard the members **voted unanimously to approve Settlement Boundary Agreement** between the Town of Little Elm and the City of Oak Point.

8. **The Town Council will hold a Closed (executive) session meeting at 8:03 p.m.** 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)

Discussion and consideration to take any action necessary as the result of the Closed (executive) session **at 8:44 p.m.**

- a. Spiritas Ranch **No Action Taken**
- b. Suntrust Mortgage (Art-a-Rama) **No Action Taken**
- c. Holly and James Candee (Art-a-Rama) **No Action Taken**

9. **FYI:** (All matters are provided to the Town Council for informational purposes only)

- a. Denco 9-1-1 District Annual Report and Independent Audit for 2006
- b. Legislative Update for February 16, 2007 and February 23, 2007
- c. CWD monthly recycling report for December 2006

10. Upon motion by Council member Hillock and second by Council member Gerard the members **voted unanimously to adjourn at 8:45 p.m.**

Respectfully,

Town Secretary

PASSED AND APPROVED this _____ day of _____, 2007.

