

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

214-975-0404
<http://www.littleelmtx.us>

Public Hearing & Regular Council

Tuesday, October 2, 2007 - 7:00 PM
Town Hall Center---Council Chambers---100 W Eldorado Parkway

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 state under God, one and indivisible.
3. **Public Hearing rezoning case #07-Z-005: Consider request to rezone approximately 2.3512 acres out of the Jose Gonzales Survey, Abstract 447, for, Agricultural to 380 Overlay Light Industrial (380-LI-1). The property is located on the South of US Hwy 380 and west of the US Hwy 380 and FM 1385 intersection, Little Elm, Denton County, Texas. All interested citizens are welcome to attend the hearing and participate in same. (Planning Director)**
4. **Close Public Hearing**

5. **Discussion and Action to approve Ordinance No. 858 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 2.3152 acres out of the Jose Gonzales Survey, Abstract 447, located South of US Hwy 380 and west of the US Hwy 380 and FM 1385 Intersection, Little Elm, Denton County, Texas (as more fully described in the Ordinance), from Agricultural to 380 Overlay Light Industrial (380-LI-1); correcting the official zoning map; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2000) for each offense; providing a severability clause; providing a repealer clause; providing an effective date; and ordaining other provisions related to the subject matter hereof. (Planning Director)**
6. **1st Public Hearing: Regarding voluntary annexation of approximately 114.625 acres of potential commercial property. The proposed property is located inside the Spiritas Ranch development south of US Hwy 380. Any and all citizens are invited and urged to attend to express their views and concerns in regards to this matter. (Planning Director)**
7. **Close Public Hearing.**
8. **2nd Public Hearing: Regarding volunatry annexation of approximately 114.625 acres of potential commercial property. The proposed property is located inside the Spiritas Ranch development south of US Hwy 380. Any and all citizens are invited and urged to attend to express their views and concerns in regards to this matter. (Planning Director)**
9. **Close Public Hearing.**
10. **Presentation: Mac McCuiston representative of Point Bank to make presentation to Tina Hager for the Little Elm Public Library.**
11. **Proclamation: Proclaiming the week of October 7-13th, 2007 as Fire Prevention Week in Little Elm. (Mayor Kastner/Fire Marshal)**
12. **Presentation and Announcement:**
Persons may address the Town Council on any issue. This is the appropriate time for citizens to address 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.

13. **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 September 18, 2007 Pre-Council Meeting
 - B. Minutes of the September 18, 2007 Public Hearing and Regular Council Meeting
 - C. Resolution No.10020703 a Resolution of the Town of Little Elm suspending the October 25, 2007, effective date of Atmos Energy Corp., Mid-Tex Division requested rate change to permit the Town time to study the request and to establish reasonable rates; approving cooperation with Atmos Cities Steering Committee and other Cities in the Atmos Energy Corp., Mid-Tex Division service area to hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals; requiring reimbursement of Cities Rate Case expenses; finding that the meeting at which this resolution was passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel. (Town Attorney)
 - D. Final Plat #07-FP-009 Virginia Parkway Phase 1A; located approximately 4,100' southwest of the intersection of Doe Creek Road and US Hwy 380 in the ETJ, 306.0 acres, 1,198 lots. (Planning Director)
 - E. Final Plat #07-FP-010 Virginia Parkway Phase 1B; located approximately 4,100' southwest of the intersection of Doe Creek Road and US Hwy 380 in the ETJ, 3.406 acres, 1 lot. (Planning Director)
 - F. Final Plat #07-FP-011 Muehlstein's Paradise Peninsula; located north of the intersection of Hillside and Lakeside; zoned Single Family A-2, 0.625 acres, 1 lot. (Planning Director)
 - G. Final Plat #07-FP-012 Water Tower Addition, Lot 6, Block A; located at the northwest corner of Sunflower and FM 423; Zoned Planned Development Light Commercial, 1.14 acres, 1 lot. (Planning Director)
14. **Reports and requests for Town Council consideration and appropriate action:**

- A. Discussion and Action on Interlocal Agreement FY 07-08 for Ambulance Fire/EMS between the Town of Little Elm and the City of Lakewood Village. (Fire Chief)
- B. Discussion and Action to accept resignation of Council member Lear as the council representative to the Little Elm Economic Development Board Corporation.
- C. Discussion and Action on appointment of Council member representative to the Little Elm Economic Development Board.
- D. Discussion and Action to approve Letter of Agreement for Professional Services with Allison Engineering Group in the amount of \$8,650.00 for a Sanitary Sewer System Evaluation of Basin #2 and authorize the Town Manager to execute the same. (Public Works Director)
- E. Discussion and Action to award complete redesign of the town's website project to CivicPlus per recommendation of the Website Committee. (IT Manager)
- F. Discussion and Action to accept staff recommendation to contract with AT&T to upgrade the town facilities internet connection. (IT Manager)
- G. Discussion and Action to approve Resolution No. 10020701 Resolution by the Town of Little Elm allowing for a Temporary Batch Plant on Lots 22-27, Block 86 of the Sunset Pointe Phase 20 Subdivision; providing for an effective date. (Planning Director)
- H. Discussion and Action to approve Resolution No. 10020702 a Resolution by the Town of Little Elm allowing for a Temporary Batch Plant on approximately 24.3 acres out of the DM Cule Survey, Abstract 226, located on the east side of Garza Lane, South of Eldorado Parkway and West of Highland Ct., Little Elm, Denton County, Texas; providing an effective date. (Planning Director)
- I. Discussion and review of fence in Eldorado Estates West Phase II. (2440 Trail View) (Planning Director)
- J. Discussion Only: regarding the carrying of a handgun by code enforcement officer(s). (Council member Mills)
- K. Discussion Only: regarding the rental of the Little Elm Community Center. (Council member Mills)

- L. Information Only: Santa's Elves of Little Elm will be hosting a Double Elimination Co-ed Softball Tournament on October 26th and 27th. The proceeds of this tournament will be used for the Santa Elves Project. (Kathy Phillips)
 - M. Brief Update and Action on remaining 2004 Bond Initiative: Community Center-Hike and Bike Trails, Pavilions and Multi-purpose fields-King Road, Lakeshore Drive-Main Street-Preston on the Lake Emergency Exit-Witt Road
 - N. Traffic – Update, Discussion and Action.
15. **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:**
- A. Section 551.071 Consultation with Town Attorney to receive legal advice concerning legal matters and contemplated litigations.
 - 1. Khosrow Sadeghian and Johnny Houston (809 Hillside Beach Drive)
 - B. Section 551.072 Discussion and deliberation on the purchase, exchange, lease, or value or real property.
 - 1. Land acquisition
 - C. Section 551.087 Discussion and deliberate regarding commercial or financial information that the EDC Board has received from a business prospect that the board seeks to have locate or expand in the Town of Little Elm and with which the Board is conducting economic development negotiations, and to deliberate the offer of financial or other incentive to such business prospect.
16. **Discussion and consideration to take any action necessary as the result of the Closed (executive) session.**
- A. Section 551.171 Khosrow Sadeghian and Johnny Houston (809 Hillside Beach Drive)
 - B. Section 551.072 Land acquisition
 - C. Section 551.087 Including the offer of a financial or other incentive to a business prospect that the Board seeks to have locate or expand in the Town of Little Elm.

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

A. CWD Monthly Report for August 2007

18. **Adjourn:**

Pursuant to the Texas Open Meeting Act, (Chapter 551, Texas Government Code), one or more of the above items 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 on the bulletin board at the Town Hall Center prior to 4:00 p.m. this 28th day of September 2007.