

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

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

**Workshop, Public Hearings & Regular Council**

**Tuesday, December 4, 2012 - 6:00 PM  
Town Hall Center---Council Conference Room and Chamber---100 W Eldorado Parkway**

1. Call to Order Council Work Shop at 6:00 p.m.
  - A. Items to be withdrawn from Consent Agenda.
  - B. Emergency Items if posted.
  - C. Request by the Town Council for items to be placed on a future agenda for discussion, and recognition of excused absences.
  - D. Discussion regarding plaques and plaque policy for town facilities. (Mayor)
  - E. Discussion regarding Health Services and food preparation as it relates to Special Events. (Mike Green)
  - F. Discussion regarding re-financing of Tax Increment Reinvestment Zone No. One (TIRZ#1) obligation for qualified expenditures and development cost incurred on developer (Kroger) property. (Finance Director)
  - G. Discussion on Eldorado Parkway (FM 720)-Proposed Road Closures-Woodlake Parkway and Lake Trail. (Director of Development Services)
  - H. Discussion regarding Recreation Center Addition for additional Fitness Room and Kids Center. (Director of Development Services)
  - I. Presentation of monthly updates from department heads concerning law enforcement activities, municipal court, customer service, emergency medical services, fire

department response, fire prevention activities, emergency management, ongoing economic development projects, building permits, code enforcement activities, library activities, human resources updates, information technology report, revenue and expenditure report, street construction status, sanitation services, highway construction status, utility operations, parks and recreation activities, as well as facility and fleet updates.

J. Council to highlight items on the agenda needing further discussion or comments prior to the regular session.

2. Roll Call/Call to Order Public Hearings and Regular Town Council Immediately Following Council Workshop.

3. Opening Prayer: Curtis Cornelious-Praise Fellowship Worship Center.

4. 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.

5. Public Hearing regarding a request for a Specific Use Permit for Gas Pumps/Fuel Sales on approximately 1.5 acres of land currently zoned Light Commercial (LC), generally located at the southeast corner of Eldorado Parkway and Lewis Drive, within the Little Elm town limits. All interested citizens are welcome to attend and participate in same. (Please fill out form outside council chambers and present to Town Secretary prior to meeting)

A. Staff Comments.

B. Open Public Hearing.

C. Applicant Presentation.

D. Receive Public comments.

- E. Close Public Hearing.
  
  - F. Discussion and Action to adopt Ordinance No. 1119 and Ordinance of the Town of Little Elm amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by issuing a Specific Use Permit for Gas Pumps/Fuel Sales Use on property currently zoned Light Commercial District (LC), located at the southeast corner of Eldorado Parkway and Lewis Drive, providing that this Specific Use Permit is established subject to certain conditions as set forth herein; providing a savings clause; correcting the official zoning map; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date. (Planning Manager)
6. Public Hearing regarding a Town-initiated request to rezone approximately .2571 acres of land from Single Family (SF-4) to Light Commercial (LC), generally located at the northwest corner of Eldorado Parkway and South Park Drive, within Little Elm town limits. All interested citizens are welcome to attend and participate in same. (Please fill out form outside council chambers and present to Town Secretary prior to meeting)
- A. Staff Comments.
  
  - B. Open Public Hearing.
  
  - C. Applicant Presentation.
  
  - D. Receive Public comments.
  
  - E. Close Public Hearing.
  
  - F. Discussion and Action to adopt Ordinance No.1120 and Ordinance of the Town of Little Elm amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by changing the zoning on approximately .2571 acres of land from Single Family District (SF-4) to Light Commercial District (LC), generally located at the northwest corner of Eldorado Parkway and South Park Drive; providing a savings clause; correcting the official zoning map; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date. (Planning Manager)
7. Public Comments: 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.

8. 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 November 6th Workshop, Public Hearing and Regular Meeting.  
(Town Secretary)

B. Final Plat Calloway's Nursery-Cottonwood Creek, Southeast Addition, from Civil Solutions, Inc., generally located at the southeast corner of FM 423 and Martin Way, within Town limits. (Planning Manager)

C. Final Plat Frisco Hills, Phase 4A, from Petit Barraza, LLC, generally located south of the intersection of Blue Bell Drive and Cypress Hill Drive, within the Town's ETJ. (Planning Manager)

D. Authorize staff to submit to CoServe an application for consideration to fund purchasing the LiveScan fingerprint system. (Police Chief)

E. Authorize Town Staff to complete the purchase of the following from Caldwell Country Chevrolet of Caldwell, Texas (1) Chevrolet Pick-Up for Fire Department through BuyBoard for \$34,738.00. (Fire Chief)

F. Authorize Fire Chief to enter into agreement, (Denton County Interlocal Cooperation Agreement) on behalf of the Town of Little Elm, to provide Fire Protection Services in designated unincorporated areas of Denton County. (Fire Chief)

G. Authorize Fire Chief to enter into agreement, (Denton County Interlocal Cooperation Agreement) on behalf of the Town of Little Elm, to provide Ambulance Service in designated unincorporated areas of Denton County. (Fire Chief)

H. Final Acceptance water, sewer, drainage, sidewalks, and street improvements for Martin Way and McCord Way. (Director of Development Services)

I. Approve final payment to release retainage to Gracon Construction, Inc., of

Mesquite, Texas in the amount of \$51,053.05 for construction of the Wastewater Treatment Plant Expansion Improvements. (Director of Development Services)

- J. Authorize Town Manager to execute the Memorandum of Agreement for Vehicle Idling Limitations with Texas Commission on Environmental Quality (TCEQ). (Public Works Director)

9. Reports and requests for Town Council consideration and appropriate action:

- A. Discussion and Action to adopt Ordinance No. 1121 an Ordinance of the Town of Little Elm, Texas providing for Refuse Rates; providing for a repealing clause; providing for a severability clause; and providing for an effective date. (Finance Director)
- B. Discussion and Action to award the construction contract for the 2.0 MGD Elevated Storage Tank Improvements in the amount of \$5,569,000.00 to Landmark Structures I, L.P. of Fort Worth, Texas and authorize the Town Manager to execute contract for the same. (Director of Development Services)
- C. Discussion and Action to approve a Design Task Order for Woodlake Irrigation Well and Improvements between the Town of Little Elm and TRC Engineers, Inc. for the amount of \$79,002.00 and authorize the Town Manager to execute a contract for the same. (Director of Development Services)
- D. Discussion and Action to approve Design Change Order #2 for Consulting Services for additional drive in Beard Park to the Main Street and Lakeshore Drive Design Contract between the Town of Little Elm and Teague Nall and Perkins, Inc. for the amount of \$49,500.00 and authorize the Town Manager to execute a contract for the same. (Director of Development Services)

10. The Town Council will hold a Closed (executive) session pursuant to Chapter 551, Texas Government Code, Vernon's Texas Code Annotated, in accordance with the authority within:

- A. Section 551.072: Deliberation Regarding Real Property: a governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property, if deliberation in open meeting would have a detrimental effect on the position of the government body in negotiation with a third person.
- B. Section 551.087: Deliberation Regarding Economic Development Negotiations: (1)

To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seek to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of financial or other incentive to a business prospect described by Subdivision (1).

11. Reconvene into Open Session: Discussion and consideration to take any action necessary as the result of the Closed (executive) session.

A. Section 551.072: Deliberation Regarding Real Property: a governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property, if deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiation with a third person.

B. Section 551.087: Deliberation Regarding Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seek to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of financial or other incentive to a business prospect described by Subdivision (1).

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

A. Town Secretary Monthly Report.

B. Development Services Monthly Report.

C. Fire Department Monthly Report.

D. Public Works Monthly Report.

E. Thank You-McCuiston Family

F. Thank You-Glover Family

G. Thank You to Fire Department-Fuller

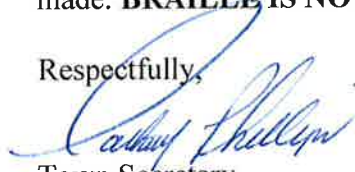
H. Freese and Nichols donation acknowledgement.

13. Adjourn Work Shop and Regular Meeting.

**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,



Cathy Kelly  
Town Secretary

**This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 30th day of November 2012.**