

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 21, 2008 - 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. **Proclamation: Proclaiming October 20-24, 2008 as Texas Chamber of Commerce Week in Little Elm, Texas. (Mayor)**
4. **Presentations:**
 - A. Caw Coo Parrothead Club to Little Elm Library
 - B. Girl Scout Troop 221 regarding Book Drive for the Little Elm Library
 - C. Update on status of the Community Development Corporation (Jerry Beliveau)
5. **Discussion and Action to nominate Howard Creamer as a candidate for possible appointment to the Appraisal Review Board. (Denton Central Appraisal District)**
6. **Discussion and Action on Parks Board recommendation to appoint Scott Dunn, Margaret Gillett and Robert Burke to the Park Board to fill vacancies. (Parks Director).**

7. **Public Hearing: to discuss a proposed amendment to the Zoning Ordinance, Section 106-36 (Supplementary district regulations) of the Code of Ordinances, to amend the screening, open storage, fence standards, and other miscellaneous changes. (Planning Director) (To address the council please fill out form located on table at entry to chambers and present to Town Secretary prior to the hearing)**
 - A. Close Hearing
 - B. Discussion and Action to adopt Ordinance No. 919 an Ordinance of the Town of Little Elm, Texas amending the Code of Ordinances of the Town by amending Section 106-36 “Supplementary District Regulations” to amend the screening, open storage, fence standards, and other miscellaneous changes; providing a savings clause; providing a severability clause; providing a penalty; and providing for an effective date. (Planning Director)

8. **Public Hearing: to discuss a proposed amendment to the Zoning Ordinance, Section 106-2 (Definitions), Section 106-06 (Use of Land and Buildings) and 106-7 (Special Definitions) of the Code of Ordinances, to amend the use chart and associated definitions. (Planning Director) (To address the council please fill out form located on table at entry to chambers and present to Town Secretary prior to the hearing)**
 - A. Close Hearing
 - B. Discussion and Action to adopt Ordinance No. 920 an Ordinance of the Town of Little Elm, Texas amending the Code of Ordinances of the Town by amending Section 106-2 “Definitions”, Section 106-6 “Use of Land and Buildings”, and Section 106-7 “Conditions noted in Use Regulations” to amend the Use Chart and Associated Definitions; providing a savings clause; providing a severability clause; providing a penalty; and providing for an effective date. (Planning Director)

9. **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.

10. **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 October 8, 2008 Pre-Council Meeting
- B. Minutes of the October 8, 2008 Regular Council Meeting
- C. Interlocal Cooperative Agreement between Denton County and the Town of Little Elm for Library Services (Library Director)
- D. Approve Professional Services Agreement with Townscape for the Eldorado/423 Overlay Zoning District. (Planning Director)
- E. Approve Commercial Lease Agreement between the Town of Little Elm and Independent Bank. (Police Chief)

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

- A. Discussion and Action to adopt Ordinance No. 921 an Ordinance of the Town of Little Elm, Texas repealing Ordinance No. 656 in its entirety and establishing speed zones on parts of streets in the Town of Little Elm, Texas, near or adjacent to certain public schools, and regulating the speed of vehicles in such zones; providing for signs showing the existence of such school zone; prescribing penalties for violations thereof; providing for publication and effective date of this Ordinance. (Public Works Director)
- B. Discussion and Action to approve the engineering contract for the Lakeshore Drive Realignment Exhibits Task Order with Teague Nall and Perkins, Inc. (an exhibit to the Master Agreement to furnish consulting services between the Town of Little Elm and Teague Nall and Perkins, Inc.) in the amount of \$9,000.00 and authorize the Town Manager to execute the same. (Town Engineer)
- C. Discussion and Action to approve the engineering design contract for the Cottonwood Park Irrigation Well Work Order with Cobb, Fendley & Associates, Inc. (an exhibit to the Master Agreement to furnish consulting services between the Town of Little Elm and Cobb, Fendley & Associates, Inc.) in the amount of \$28,455.00 and authorize the Town Manager to execute the same. (Town Engineer)

- D. Discussion and Action to approve the engineering contract for the Little Elm Park Irrigation Study Work Order with Cobb, Fendley & Associates, Inc. (an exhibit to the Master Agreement to furnish consulting services between the Town of Little Elm and Cobb, Fendley & Associates, Inc.) in the amount of \$10,870.00 and authorize the Town Manager to execute the same. (Town Engineer)
 - E. Discussion and Action to approve Resolution No. 10210802 a Resolution designating the Month of November 2008, as Fair Housing Month and Supporting Fair Housing Activities within the Town. (Town Engineer)
 - F. Discussion Only: regarding the observance of a moment of silence or a prayer before council meetings. (Council member)
 - G. Discussion Only: regarding Fire/Police Station vs. Public Safety Building. (Council members)
 - H. Discussion and Action regarding the rescheduling of November 4th Regular Meeting to November 11th due to Election Day and TML Convention.
 - I. Traffic Update: regarding Toll Bridge over Lake Lewisville, the Eldorado/Garza and Eldorado/423 Expansion Projects.
12. **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. Discussion with Town Attorney on litigation budgets
 - 2. Frisco Hills, Frisco Ranch and The Preserve Development Agreement, Interlocal Agreement, and Compromise and Settlement Agreement.
 - 3. Town vs. Ajro Real Estate Investment
 - 4. Sadeghian et al. vs. Little Elm
 - B. Section 551.071 and Section 551.072 of the Texas Government Code to receive legal advice from the Town's attorney, and to deliberate the purchase, exchange, lease, or value of real property – regarding the acquisition of the following properties:

1. an approximately 0.067 acre tract of land;
 2. an approximately 0.868 acre tract of land;
 3. approximately 11.14 acres of land; and
 4. approximately 8.3347 acres of land.
13. **Discussion and consideration to take any action necessary as the result of the Closed (executive) session.**
- A. Section 551.071
 1. Town Attorney on litigation budgets
 2. Frisco Hills, Frisco Ranch and The Preserve Development Agreement, Interlocal Agreement, and Compromise and Settlement Agreement
 3. Town vs. Ajro Real Estate Investment
 4. Sadeghian et al. vs. Little Elm
 - B. Section 551.071 and Section 551.072
 1. an approximately 0.067 acre tract of land;
 2. an approximately 0.868 acre tract of land;
 3. approximately 11.14 acres of land; and
 4. approximately 8.3347 acres of land.
14. **FYI: (All matters are provided to the Town Council for informational purposes only will not be discussed by Council or Staff)**
- A. Departmental Monthly Reports for September 2008: Police, Human Resources, Town Secretary, Planning & Development, Fire, Customer Service, Municipal Court, Library, Public Works and Revenue and Expenditures.
 - B. CWD Monthly Report for August 2008
 - C. TML Legislative Update for October 9, 2008

15. **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 this 17th day of October 2008.