

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, March 3, 2009 - 7:00 PM
Town Hall Center---Council Chambers---100 W Eldorado Parkway

1. **Roll Call/Call to Order Public Hearing and Regular Town Council Meeting.**
2. **Opening Prayer:**
3. **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.
4. **Public Hearing: to discuss the request for a Specific Use Permit for a Day Care Center on the Lakeshore Crossing, Block 1, Lot 1, Suite 108, currently zoned Light Commercial (LC). The property is located South of Eldorado Parkway (FM 720), West of Lobo Lane, Little Elm, Denton County, Texas. All interested citizens are welcome to attend the hearing and participate in same. (Please fill out speaker form on table in front of the council chambers and present to the Town Secretary prior to the meeting)**
 - A. Close Hearing

- B. Discussion and Action to adopt Ordinance No. 943 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by issuing a Specific Use Permit for a Child Care Center and Related Uses on property currently zoned Light Commercial #383 and generally located at the southwest corner of Eldorado Parkway and Lobo Lane, on Lot 1, Block 1 of the Lakeshore Crossing Subdivision, Suite 108, providing that this Specific Use Permit is established subject to certain conditions as set forth herein; 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 for an effective date; and ordaining other provisions related to the subject matter thereof. (Planning Director)

5. **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.

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 February 17, 2009 Work Session.
- B. Minutes of the February 17, 2009 Regular Meeting, Public Hearing and Joint Meeting with TIRZ Zone #1 & #2.
- C. Authorize staff to apply for Fire Prevention and Safety Grant. (Fire Chief)
- D. Final Plat Shops at Sunset Pointe, Block A, Lot 5, approximately 800 feet north of Woodlake Parkway intersection, west of FM 423, within the ETJ, 0.691 acres, 1 lot (with prior to filing the plat for record, the applicant revise the plat to provide filing information for all separate instruments, subject to review and approval by the Town Engineer) (Planning Director)

- E. Authorize the Town Staff to purchase the following equipment through contracts awarded by the Tarrant County Cooperative Agreement and the Houston-Galveston Area Council of Governments (HGAC) under the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code for an aggregate amount of \$57,137.00, (2) Chevrolet Malibu Sedans and (1) Chevrolet 1500 Crew Cab Pickup for the Police Department. (Police Chief)
 - F. Acceptance of 2008 Little Elm Police Department Racial Profile Report as presented. (Police Chief)
 - G. Authorize Town Staff to complete acquisition of Combination Sewer Cleaner Truck from Vac-Con Inc./CLS Sewer Equipment Company and Houston Freightliner in the amount of \$228,880.81. (Public Works Director)
 - H. Authorize Town Staff to complete purchase of a Husqvarna 65 hp concrete walk behind saw from Sunbelt Rental in the amount of \$17,570.00. (Public Work Director)
7. **Reports and requests for Town Council consideration and appropriate action:**
- A. Discussion and Action to appoint one (1) applicant to fill open Alternate Member position shared by the Planning and Zoning Commission and Board of Adjustments. (Planning Director)
 - B. Discussion and Action to adopt Ordinance No. 944 an Ordinance of the Town of Little Elm, Texas, providing for the Limited Purpose Annexation of an approximately 9.392-acre tract of land described in Exhibit A attached hereto, and an approximately 1.63-acre tract of land described in Exhibit B attached hereto, extending the boundary limits of the Town so as to include the said property within the corporate limits of the Town for Limited Purpose Annexation purposes, providing for the filing of this Ordinance with the County Clerk; providing a saving clause; and providing a severability clause. (Planning Director)
 - C. Discussion and Action to approve the submittal of a letter to TxDot requesting them to conduct traffic signal warrant studies for the intersection of FM 423 and Smotherman Road. (Public Works Director)

- D. Discussion and Action on staff recommendation to approve Work Order for the Hart Road Median and Turn Lane Improvements with Cobb, Fendley, and Associates, Inc. (an exhibit to the Master Agreement to furnish consulting services between the Town of Little Elm and Cobb, Fendley, and Associates, Inc.) in the amount of \$12,855.00 and authorize the Town Manager to execute the same authorization of funding from the Service Area #3 thoroughfare impact fee fund. (Town Engineer)
- E. Discussion and Action on staff recommendation to adopt the North Central Texas Outdoor Warning Systems Guidelines. (Fire Chief)
- F. Discussion and Action to adopt Ordinance No. 945 an Ordinance of the Town Council of the Town of Little Elm, Texas, ordering a General and Special Election to be held on Saturday, May 9, 2009, for the following purposes: elect a Mayor for a three (3) year term, election one (1) Town Member from Place 3 for a three (3) year term, election one (1) Council member from Place 5 for a three (3) year term, voting "For" or "Against" eleven (11) proposed Home-Rule Charter Amendments, voting "For" or "Against" the reauthorization of the Municipal Sales and Use Tax for Street Maintenance at the rate of one-fourth of one percent, pursuant to Chapter 327 of the Texas Tax Code, as amended; providing for election officers; designating the place and manner of holding said election; designating the early voting polling place; designating the early voting clerk; providing for the posting publication of notice; providing a severability clause; and providing for an immediate effective date. (Town Attorney)
- G. Discussion and Action to adopt Ordinance No. 946 an Ordinance ordering and providing notice of a Bond Election for the Town of Little Elm, Texas to be held on the 9th day of May, 2009; and providing an effective date. (Finance Director)
- H. Discussion and Action on staff recommendation to approve Resolution 03030901 of the Town of Little Elm, Texas declaring a municipal lease financing agreement between the Town of Little Elm and Independent Bank and authorizing the Town Manager to execute the Municipal Lease Agreement and any related documents necessary to the consummation of the transactions contemplated by the Municipal Lease Agreement between the Town of Little Elm and Independent Bank. (Finance Director)

- I. Discussion and Action on staff recommendation to authorize the Town Manager to execute an agreement to engage Net-Tech to provide managed services consisting of information technology maintenance and support for servers, routers, and networking infrastructure. (Finance Director/It Manager)
- J. Brief Update on remaining 2004 Bond Fund Initiative:
 - 1. Community Center
 - 2. Little Elm Park Improvement Combination Project 2004
 - 3. King Road
 - 4. Lakeshore Drive
 - 5. Main Street
- K. Traffic Update: regarding Toll Bridge over Lake Lewisville, the Eldorado/Garza and Eldorado/423 Expansion Projects.
- 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:**
 - A. Section 551.072 Discussion and deliberation on the purchase, exchange, lease, or value of real property.
 - 1. Main Street/Lakeshore Drive Realignment and other various Eldorado Parkway issues.
- 9. **Discussion and consideration to take any action as the result of the Closed (executive) session.**
 - A. Section 551.072: Main Street/Lakeshore Drive Realignment and other Eldorado Parkway issues.
- 10. **FYI: (All matters are provided to the Town Council for informational purposes only will not be discussed by Council or Staff)**
 - A. TML Legislative Update February 12, 2009
 - B. TML Legislative Update February 19, 2009
 - C. TML 2009 Legislative Priorities

D. CWD Monthly Recycling Report for January 2009

11. **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. **BRaille 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 27th day of February 2009.