

**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, June 17, 2008 - 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. 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. Presentation: Bob Barnard with American Traffic Solutions (ATS) to give presentation to the Town Council regarding Red Light Cameras. (Police Chief)**
- 4. Presentation: Little Elm Festival Committee to make presentation to the July Jubilee.**
- 5. Presentation: Little Elm Festival Committee to make presentation to the Parks Department.**
- 6. Discussion and Action to renew agreement with Patricia Adams to serve as the Municipal Court Judge for the Town of Little Elm. (Finance Director)**
- 7. Public Hearing: to receive public comment regarding proposed amendments to Section 106-6, 106-7 & 106-34 (Use of Land and Buildings, Special Definitions, Location and Uses) of the Code of Ordinances (Portion of the Town's Zoning Ordinance), amending use chart, definitions and location requirements for Home Based Child Care and Child Care Center. (Planning Director)**

8. **Close Public Hearing.**
9. **Discussion and Action to adopt Ordinance No. 901 an Ordinance of the Town of Little Elm, Texas amending the Code of Ordinances of the Town by amending Section 106-6 “Use of Land and Buildings” to expand the Child Care Uses to clarify other uses; by amending Section 106-07 “Special Definitions and Explanations noted in Use Regulations” to distinguish and define Child Care Center Uses; providing a saving clause; providing a severability clause; providing a penalty; and providing for an effective date. (Planning Director)**
10. **Public Hearing: to receive public comment regarding proposed amendments to Sections 106-6, 106-7 & 106-34 (Use of Land and Buildings, Special Definitions, Location of Uses) of the Code of Ordinances (Portion of the Town’s Zoning Ordinance), establishing definition and location requirements for Alternative Financial Institutions, and other general clarifications. (Planning Director)**
11. **Close Public Hearing.**
12. **Discussion and Action to adopt Ordinance No. 902 an Ordinance of the Town of Little Elm, Texas amending the Code of Ordinances of the Town by amending Section 106-6 “Use of Land and Buildings” to create an Alternative Financial Institution Use and to clarify other uses; by amending Section 106-7 “Special Definitions and Explanations noted in Use Regulations” to define and distinguish Alternative Financial Institution Uses and to clarify other definitions; by amending Section 106-34 “Location of Uses” to establish location criteria for Alternative Financial Institutions Uses; providing a saving clause; providing a severability clause; providing a penalty; and providing for an effective date. (Planning Director)**
13. **Public Hearing: to received public comment regarding proposed amendments to Section 106-6, 106-25, 106-26, 106-27 & 106-36 (Use of Land and Buildings, Central Business District (“CB”), Central Business District 1 (“CB1”), Commercial Employment District (“CE”) and Supplementary District Regulations), of the Code of Ordinances (Portions of the Town’s Zoning Ordinance), Changing the “CB” district to a Town Center Interim (“TC-I”) district and modifications of all standards and allowed uses within that district deleting the “CB-1” district and the “CE” district. (Planning Director)**
14. **Close Public Hearing.**

15. **Discussion and Action to adopt Ordinance No. 903 an Ordinance of the Town of Little Elm, Texas amending the Code of Ordinances of the Town by amending Section 106-6 “Use of Land and Buildings” to delete reference to non-existing zoning districts; by deleting Section 106-25 “CB Central Business District”; by deleting Section 106-26 “CB 1 Central Business 1 District”, by deleting Section 106-27 “CE Commercial Employment District”; by amending Section 106-25 “TC-1 – Town Center- Interim District” to establish the Interim Town Center District; providing a saving clause; providing a severability clause; providing a penalty; providing for an effective date. (Planning Director)**
  
16. **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.
  
17. **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 June 3, 2008 Pre-Council Meeting
  - B. Minutes of the June 3, 2008 Public Hearing and Regular Council Meeting
  - C. Minutes of the June 10, 2008 Budget Work Shop
  - D. Final Plat Frisco Hills Phase 1 (4,000 feet southwest of the intersection of US Hwy 380 and Doe Creek Road in the town’s ETJ, 63.099 acres, 292 residential lots) (Planning Director)
  - E. Authorize the Police Department Community Services Division to accept the McGruff Grant in the amount of \$5,000. (Police Chief)
  
18. **Reports and requests for Town Council consideration and appropriate action:**
  - A. Discussion and action to approve a budget amendment of the Little Elm EDC for professional services related to tax increment financing districts. (EDC Consultant)

- B. Discussion and Action to adopt Resolution No. 06170801 a Resolution of the Town Council of the Town of Little Elm, Texas, requesting assistance from TXDOT for the installation of temporary signals along Eldorado Parkway, providing for an effective date. (Town Manager)
  - C. Discussion and Action to adopt Resolution No. 06170802 a Resolution of the Town Council of the Town of Little Elm, Texas, appointing a Mayor Pro-tem on a one year term of office, providing for an effective date.
  - D. Discussion and Action to consider request from Don Alexander Elections Administrator for the use the Little Elm Community Center (Town Hall) for county elections held between August 2008 and July 2009. (this will include the November 4th General Election)
  - E. Discussion and Action to consider staff recommendation to establish new Water, Wastewater, and Thoroughfare Impact Fee Rates and direct the Town Attorney to develop a new Impact Fee Ordinance for Town Council consideration. (Public Works Director)
  - F. Discussion and Action on granting staff permission to apply for SAFER Grant. (Fire Chief)
  - G. Information/Discussion regarding Capital Improvement Projects. (Finance Director)
  - H. Information/Discussion on remaining 2004 Bonds and funding for same. (Finance Director)
  - I. Discussion Only: Forming of a 2009 Bond Committee. (Mayor)
  - J. Discussion Only: Forming of a Charter Review Committee. (Mayor)
  - K. Traffic Update:
19. **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. Proposed Settlement Offer: Sadeghian et al. vs. Little Elm; Case No. 4:07cv159

2. Absolute Development, LLC PMR/WHM, Ltd, and Frisco Hill, LP v. Town of Little Elm
  3. Town vs. Ajro Real Estate Investment
  4. Town vs. Anchor Boat Storage
- B. Section 551.072 Discussion and deliberation on the purchase, exchange, lease, or value of real property.
1. Land acquisition
  2. Land Sale-TxDot for Eldorado Parkway and FM 423
- 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.
20. **Discussion and consideration to take any action necessary as the result of the Closed (executive) session.**
- A. Section 551.071
1. Proposed Settlement Offer: Sadeghian et al. vs Little Elm: Case NO. 4:07cv159
  2. Absolute Development, LLC PMR/WHM, Ltd., and Frisco Hill, LP v. Town of Little Elm
  3. Town vs. Ajro Real Estate Investment
  4. Town vs. Anchor Boat Storage
- B. Section 551.072
1. Land acquisition
  2. Land Sale-TxDot for Eldorado Parkway and FM 423
- C. Section 551.087 Including the offer of a financial or other incentive to a business prospect that the EDC Board seeks to have locate or expand in the Town of Little Elm.

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

A. TML Legislative Update 05-28-08

B. Departmental Monthly Reports for May 2008

22. **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 13th day of June 2008.**