

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, July 1, 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. Continuation of 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)**
- 4. Close Public Hearing.**
- 5. 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)**

6. **Public Hearing:** to receive public comment regarding a request for a Specific Use Permit for a Manufactured Home on approximately 0.2778 acres, Lots 12 and 13, Frisco Park Annex, currently zoned A-2. The property is located on the northwest corner of East Park Street and Annex Street, Little Elm, Denton County, Texas. (Planning Director)
7. **Close Public Hearing.**
8. **Discussion and Action** to adopt Ordinance No. 904 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 manufactured home and related uses on .02778 acres presently zoned A-2 Single Family Residence and generally located on the Northwest corner of East Park Street and Annex Street, Lots 12 and 13, Frisco Park Annex, (as more fully described in the Ordinance), 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 an effective date; and ordaining other provisions related to the subject matter thereof. (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 June 17, 2008 Pre-Council Meeting
 - B. Minutes of the June 17, 2008 Public Hearing and Regular Council Meeting
 - C. Minutes of the June 12, 2008 Budget Work Shop

11. **Reports and requests for Town Council consideration and appropriate action:**
 - A. Discussion and Action to approve the rating sheet for engineering consultant and authorize Town Staff to negotiate a contract with Cobb, Fendley, and Associates, Inc. (Public Works Director)
 - B. Discussion and Action to approve the rating sheet for management consultant and authorize Town Staff to negotiate a contract with Municipal Development Services (MDS) (Public Works Director)
 - C. Discussion and Action to adopt Ordinance No. 905 an Ordinance of the Town of Little Elm, Texas amending the Town's Base Impact Fee Ordinance, Ordinance No. 327 adopted on September 19, 1994, and as amended by Ordinance Nos. 371, 433, 455, 479 and 544, and as codified in Article IV of Chapter 22 of the Town's Code of Ordinances, by amending the calculation of the Town's Water, Wastewater and Roadway Impact Fees; adopting certain studies related to these fees; providing a severability clause and repealer clause; and providing for an effective date. (Public Works Director)
 - D. Discussion and review of Town Charter. (Council members Lear and Hillock)
 - E. Discussion and Action/Update on Cottonwood Park. (Parks Director and Council member Hillock)
 - F. Receive brief update on 2004 remaining Bond Fund Initiatives. •Community Center•Hike and Bike Trails, Pavilions and Multi-Purpose Fields•King Road•Lakeshore Drive•Main Street•Witt Road
 - G. Traffic Update:
 - H. Information Only: Budget Work Session to discuss "town priorities" Tuesday July 8th at 6:30 p.m. Town Council Conference Room.
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 on all pending litigation.
 - B. 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
- C. 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
- D. Section 551.074 Deliberate and evaluation regarding the annual performance review and employment contract of the Town Manager.
- E. 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.
13. **Discussion and consideration to take any action necessary as the result of the Closed (executive) session.**
- A. Section 551.071 Consultation with Town Attorney on all pending litigation.
 - B. 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

- C. Section 551.072
 - 1. Land acquisition
 - 2. Land Sale-TxDot for Eldorado Parkway and FM 423
 - D. Section 551.074 Annual performance review and employment contract of the Town Manager.
 - E. 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.
14. **FYI: (All matters are provided to the Town Council for informational purposes only)**
- A. Acknowledgment Letter regarding CWD employee
 - B. CWD Monthly Report for May 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. **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 June 2008.