

**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 16, 2009 - 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. **Opening Prayer: Reverend Zach Miller, The Crossing Church.**
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: regarding a request to rezone approximately 70 acres of land from Single Family 1 and Agriculture (SF-1 & AG) to Single Family-Ranchette Estates (SF-RE), located generally south Dickson Lane and west of Eldorado Parkway, 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. 957 Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by changing the zoning on approximately 70 acres of land, generally located south of Dickson Lane and west of Eldorado Parkway, Little Elm, Denton County, Texas, from Single Family-1 & Agricultural District (SF-1 & AG) to Single Family-Ranchette Estates District (SF- RE); providing a saving clause; correcting the official zoning map; providing a penalty clause; providing a severability clause; and providing a repealer clause; and providing for an effective date. (Planning Director)
5. **Public Hearing: to discuss a proposed amendment to the Zoning Ordinance, Section 106-13.5 (SF-RE), and to delete Section 106-9.5 (A-RE). All interested citizens are welcome to attend the hearing and participate in the 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 Public Hearing.
  - B. Discussion and Action to adopt Ordinance No. 958 an Ordinance of the Town of Little Elm, Texas, amending the Code of Ordinances of the Town by amending Section 106-13.5 “SF-RE Ranchette Estates District” to allow for limited agricultural accessory buildings; by deleting Section 106-9.5 “A-RE Ranchette Estate District”; providing a savings clause; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date. (Planning Director)
6. **Public Hearing: discuss and act on a proposed amendment to the Zoning Ordinance, Section 106-2 (Definition), 106-6 (Use of land and building), and 106-7 (Condition) of the Code of Ordinances, to update and clarify standards association with communication towers, wind tower, wind turbines, bars, and liquor stores. 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 Public Hearing:

- B. Discussion and Action to adopt Ordinance No. 959 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 Chart”, and Section 106-7 “Conditions” to implement Development Standards for Communication Towers, Wind Turbines, Bars, and Liquor Stores; providing penalty; providing a severability clause; providing a repealer clause; and providing an effective date. (Planning Director)

7. **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.

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 May 27, 2009 Work Session
- B. Minutes of the June 2, 2009 Public Hearing & Regular Meeting
- C. Minutes of the June 9, 2009 Work Session
- D. Reappoint Stan Fulks, Dean Hansen, and Robert Anderson to the Little Elm Board of Adjustment in places 1, 3, and 5. (Planning Director)
- E. Issuance of Certificates of Obligation in an amount not to exceed \$2.5 M on behalf of the Little Elm Community Development Corporation (LECDC). (Finance Director)
- F. Resolution No. 06160901 a Resolution of the Town Council of the Town of Little Elm, Texas (the Town), authorizing the Town Manager to enter into an Agreement with the Little Elm Community Development Corporation (LECDC) to reimburse the Town for debt incurred on its behalf; and providing for an immediate effective date. (Finance Director)

- G. Resolution No. 06160902 a Resolution approving and authorizing publication of Notice of Intent to Issue Certificates of Obligation and resolving other matters incident and related thereto. (Finance Director)
  - H. Approval of Task Order for Construction Material Testing for 2009 Annual Street Maintenance Improvements between the Town of Little Elm and Alliance Geotechnical Group, Inc. for the estimated amount of \$24,373.00 and authorize the Town Manager to execute contract for the same. (Town Engineer)
  - I. Acceptance of fire lane and water easements for fire lane, water line, and water meter within the Retractable Technologies site. (Town Engineer)
9. **Reports and requests for Town Council consideration and appropriate action:**
- A. Discussion and Action on Parks & Recreation Board recommendation to appoint Lloyd L. "Renn" Leach to the board. (Parks Director)

- B. Discussion and Action to adopt Ordinance No. 960 an Ordinance of the Town of Little Elm, Texas repealing Chapter 18, entitled “Animals” of the Code of Ordinances of the Town of Little Elm, Texas, and establishing a new Chapter 18 entitled “Animals”; providing definitions; establishing a purpose; providing for enforcement; providing for the proper care of animals and establishing prohibited actions; establishing penalties; adopting the Rabies Control Act of 1981 and establishing procedures for rabies control, identification, vaccination and registration; providing for impoundment, redemption, adoption, sterilization, microchipping and disposition of animals; providing interference with impounding officers, adopting State Law and Procedures relative to Dangerous Dogs; providing for the right of entry and search warrants; prohibiting the keeping of wild or exotic animals; establishing exemptions and exceptions; providing for the keeping of livestock; requiring adequate fencing and barriers for livestock; authorizing the impoundment and disposal of livestock; regulating the keeping of fowl, rabbits and guineas pigs; prohibiting the keeping of bees; establishing procedures, restrictions and limitations on the placement and baiting of animal traps; prohibiting the poisoning of animals; requiring the disposal of dead animals; identifying public nuisances; providing for the maximum number of animals; requiring disposal of excrement and prohibiting defecation on public and private property; prohibiting noise, odors or unclean conditions; prohibiting animals at large; establishing fees; providing a repealing clause of conflicting ordinances; providing a severability clause; and providing an effective date. (Police Chief)
- C. Discussion and Action to adopt Ordinance No. 961 an Ordinance of the Town of Little Elm, Texas, amending the Code of Ordinances of the Town of Little Elm, Texas by amending Chapter 10, “Alcoholic Beverages,” Article I, “In General,” by adopting restrictions related to parks; adopting a Special Event Permit process; repealing Chapter 10, “Alcoholic Beverages,” Article II, “Alcoholic Beverage Sales Permit,” in its entirety and adopting a new Article II, “Alcoholic Beverages,” in Chapter 10 “Business Regulation”; establishing definitions; establishing business hours for alcohol sales; establishing permit requirements and exceptions to those requirements; providing for permit fees; prohibiting alcoholic sales near certain uses; prohibiting the sale of beer in residential areas; prohibiting consumption or possession in certain areas; providing a penalty not to exceed \$500.00; providing for a repeal of conflicting ordinances; providing a severability clause; and providing an effective date. (Planning Director)

- D. Discussion and Action on staff recommendation to award construction contract for the Mansell Pump Station Improvements in the amount of \$607,652.75 to Legacy Contracting, LP of Decatur, Texas and authorize Town Manager to execute a contract for the same. (Town Engineer)
  - E. Discussion and Action on staff recommendation to approve the creation and amendment to the Town Step Plan adding the position of CIP Project Manager and authorize the funding for salaries, operations, and capital expenses in the amount of \$48,800.00 for fiscal year 2008/2009 from Bond Proceeds. (Public Works Director)
  - F. Discussion Only: regarding placement of the food bank in the old fire station or community center after new facilities constructed. (Council)
10. **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 litigation.
    - 1. Potential litigation concerning portable building standards
11. **Discussion and consideration to take any action as the result of the Closed (executive) session.**
- A. Section 551.071 Consultation with Town Attorney to receive legal advice concerning legal matters and contemplated litigation.
    - 1. Potential litigation concerning portable building standards
12. **FYI: (All matters are provided to the Town Council for informational purposes only will not be discussed by Council or Staff)**
- A. Town Secretary Monthly Report for May
  - B. Community Development Monthly Report
  - C. CWD Monthly Report for April
13. **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 12th day of June 2009.**