

**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, September 1, 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: Pastor Richard Stevens, Living Word Baptist 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: to receive public comments on the 2009-2010 fiscal year Town Budget. (To address the council please fill out form located on table at entry to chambers and present to the Town Secretary prior to the hearing). (Finance Director)**
5. **2nd Public Hearing to receive comments on the proposed tax rate of \$.634490. Any and all citizens are invited and urged to attend to express their views and concerns in regards to this matter. (To address the council please fill out form located on table at entry to chambers and present to Town Secretary prior to the hearing). (Finance Director)**
6. **Close Public Hearings.**
7. **Announcement: The Town Council will schedule the adoption of the property tax rate of \$.634490 per \$100 of taxable value on September 15th at 7:00 p.m. at Town Hall. (Finance Director)**

8. **Public Hearing: to discuss proposed amendments to the Sign Ordinance (Chapter 86). All interested citizens are welcome to attend the hearing and participate in same. (To address the council please fill out form located on table at entry to chambers and present to Town Secretary prior to the hearing). (Community Development Director)**
9. **Close Public Hearing.**
10. **Discussion and Action to adopt Ordinance No. 972 an Ordinance of the Town of Little Elm, Texas, repealing Ordinances 648, 773, and 803 in their entirety; amending the Code of Ordinances of the Town, by amending Chapter 86 “Signs” to establish revised sign regulations and standards within the corporate limits and the ETJ; providing a savings clause; providing a penalty; providing a severability clause; providing a repealer clause; providing an effective date. (Community Development Director)**
11. **Public Hearing: regarding a request for a Specific Use Permit for a Liquor Store located on the southeast corner of U.S. Highway 380 and Paloma Creek Blvd, 26730 U.S. 380, Little Elm, Texas, currently zoned 380-Light Commercial (LC). All interested citizens are welcome to attend the hearing and participate in the same. (To address the council please fill out form located on table at entry to chambers and present to Town Secretary prior to the hearing). (Community Development Director)**
12. **Close Public Hearing.**
13. **Discussion and Action to adopt Ordinance No. 973 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 Liquor Store and related uses on property presently zoned Light Commercial with U.S. 380 Overlay, generally located at the southeast corner of U.S. Highway 380 and south Paloma Creek Boulevard, Suite 200, providing that this Specific Use Permit is established subject to certain conditions as set forth herein; providing a savings clause; correcting the official zoning map; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date. (Community Development Director)**

14. **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.
  
15. **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 August 18, 2009 Pre-Council Meeting.
  - B. Minutes of the August 18, 2009 Public Hearings & Regular Council Meeting.
  - C. Minutes of the August 25, 2009 Special Meeting.
  - D. Resignation of Margaret Gillett from the Parks and Recreation Board. (Parks and Recreation Director)
  - E. Ordinance No. 977 an Ordinance of the Town of Little Elm, Denton County, Texas, finding that the current rates of COSERV GAS LTD. are unreasonable; approving COSERV GAS LTD'S revised and uncontested tariffs; setting the effective date of new tariffs as October 1, 2009; finding rate case expenses reasonable; finding that any relief requested by COSERV GAS LTD. not specifically granted herein is denied; finding that the meeting at which this Ordinance is passed is open to the public as required by law; providing for notice of this Ordinance to COSERV GAS LTD.; and providing for an effective date. (Finance Director)
  
16. **Reports and requests for Town Council consideration and appropriate action:**
  - A. Discussion and Action on recommendation from the Parks and Recreation Board to appoint Amanda Parish and Steven Petrasic to the board. (Parks and Recreation Director)

- B. Discussion and Action to adopt Resolution No. 09010901 a Resolution of the Town Council of the Town of Little Elm, Texas, establishing prohibited parking locations pursuant to 98-101(C) of the Town of Little Elm Code of Ordinances; and providing for an effective date. (Police Chief)
  - C. Discussion and Action on staff recommendation to approve the First Amendment to the Agreement between the Town of Little Elm and Specialty Land Services, LLC. for Right-of-Way/Easement Acquisition Services to increase contract amount by \$40,000 for a total contract amount of \$100,000 and authorize the Town Manager to execute the same. (Public Works Director)
  - D. Discussion and Action on the rescheduling of the October 6th meeting due to “National Night Out”.
17. **Closed (executive) session of the Town Council pursuant to Section 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. Little Elm v. Joanna Kaspar
  - B. Section 551.072 Discussion and deliberation on the purchase, exchange, lease or value of real property.
    - 1. Land acquisitions
    - 2. Contract between the Town of Little Elm and Gene and Willie Mae Hubbard for the property acquisition of 401 Lakeshore Drive.
    - 3. Property Acquisition for Lift Station # 3 “Witt Property”
  - C. Section 551.074 Of the Texas Government Code-deliberation regarding the interviewing and appointment of applicant(s) to the Economic Development Corporation.
18. **Reconvene into Open Session and take any action necessary as the result of the Closed (executive) session.**
- A. Section 551.071:
    - 1. Little Elm v. Joanna Kaspar

- B. Section 551.072 Purchase, exchange, lease or value of real property.
    - 1. Land acquisitions
    - 2. Discussion and Action to approve Contract between the Town of Little Elm and Gene and Willie Mae Hubbard for the property acquisition of 401 Lakeshore Drive for \$118,100 and authorize the Town Manager to execute contract for the same.
    - 3. Discussion and Action on property acquisition for Lift Station # 3 “Witt Property”.
  - C. Section 551.074 Appointment of applicant(s) to the Economic Development Corporation.
19. **FYI: (All matters are provided to the Town Council for informational purposes only will not be discussed by Council or Staff)**
- A. Fire Department Monthly Report for July 2009
  - B. Thank You to Fire Department
  - C. Police Department Quarterly Report
20. **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 28th day of August 2009.**