

**MINUTES**  
**Town of Little Elm**  
**214-975-0404**  
<http://www.littleelm.org>

**WORKSHOP**  
**AND**  
**REGULAR TOWN COUNCIL MEETING**  
**Tuesday January 3, 2012**

**Present:** Charles Platt Mayor, Curtis Cornelious Mayor Pro-tem, Council members Richard Stevens, Stephanie Shoemaker, Brandon Gerard, and Bill Roebken. Staff: Robert Brown, Doug Peach, Kathy Phillips, Alan Dickerson, Jason Laumer, Dusty McAfee, Dee Dee Hale, Kevin Mattingly, Tony Chrisman, Waylan Rhodes, Leslie Smith, and Joe Florentino.

**1. Call to Order Council Work Shop at 6:30 p.m.**

- a. Items to be withdrawn from Consent Agenda. **NONE**
- b. Emergency Items if posted. **NONE**
- c. Request by the Town Council for items to be placed on the next regular council agenda for discussion, and recognition of excused absences. **NONE**
- d. Presentation of monthly updates from department heads: Police Chief-Waylan Rhodes reported to Council regarding a shooting that occurred on New Year's. Warrant being issued for suspect arrest. In the Warrant Division at end of year in 2010 this one officer collected over \$112,000; and this past year over \$156,000 was collected. This officer is also bailiff for the court, marine patrol officer and helps out in traffic division when needed. Public Works Director-Kevin Mattingly handed out a monthly report to the Council regarding Items of Interest: Regarding Stage 3 water restrictions a meeting was held December 15<sup>th</sup> for NTMWD customers. For discussion was how to measure reduction in water consumption. Also discussed were what triggers Stage 4 and how to prepare businesses that depend on irrigation as a mainstay to their business success, and stepping up enforcement of water restriction violations to meet the needed reduction. Staff is working on a Cross Connection Control Policy and Ordinance: the policy revisions have been made and ready for presentation to Council, Ordinance will need to be reviewed by Town Attorney, the implementation time-line will be updated, staff will determine impact to commercial customers and determine impact to ISD's. Staff had received notification from the TCEQ on December 20<sup>th</sup> of completion of the SEP (Drug Take Back Program). This SEP benefitted not only LE residents but also surrounding communities. Kevin also reported on the annual total work orders completed by staff from 01/02/2011 to 12/31/2011 for Water, WW, Streets, Street lights: received 1,860 orders, 1,773 were completed in 4,902 work hours. Parks & Recreation Director Tony Chrisman reported that the Cottonwood Complex will be watering off the new well system. In recreational activities basketball was in progress, adult softball and youth baseball will start in February. Staff is working on the park area

across from (Pirates Cove) placing post along the area to keep vehicular traffic from driving along shore line. Tony reported on Library activity: the Santa program was attended by 50 children, 11 children programs were hosted, 27 youth programs and 8 adult programs. The library saw 189 patrons more than previous month. Staff has four (4) applicants for the library director position will interview two this week and two next week.

- e. Council to highlight items on the agenda needing further discussion or comments prior to the regular session. **NONE**

2. **(6:50 p.m.) Presentations and Announcements: None**

3. **Roll Call/Call to Order Regular Town Council Meeting at 7:00 p.m.**

4. **Opening Prayer:** Richard Stevens-Living Word Baptist Church.

5. **Pledge to the Flags:**

- a. United States Flag
- b. Texas Flag

6. **Public Comments:** None

7. Upon motion by Council member Stevens and second by Council member Shoemaker the members **voted 6-0** to approve the Consent Agenda as presented:

- a. **Minutes** of the December 20, 2011 Special Council Meeting.
- b. **Minutes** of the December 13, 2011 Special Meeting and Work Shop.
- c. **Minutes** of the December 6, 2011 Work Shop and Regular Meeting.

8. **Reports and requests for Town Council consideration and appropriate action:**

- a. Appointment of Caprice Garcia as Teen Court Judge: Judge DePiazza issued Oath of Office to Judge Garcia.
- b. Upon motion by Council member Stevens and second by Council member Gerard the members **voted 6-0** to approve request from the Republican Party to use the Town Hall exclusively for the March 6<sup>th</sup> (changed to April 3<sup>rd</sup>) Primary Election and Precinct Convention and if needed for Run-off date, to be determined.
- c. Upon motion by Council member Roebken and second by Council member Shoemaker the members **voted 6-0** to re-appoint Frank Kastner to Place 2 and Jack Gregg to Place 6 for a term through December 31, 2013 on the TIRZ #1, TIRZ #2 and LERA Boards. To appoint Charles Platt to Place 4 TIRZ #1, and TIRZ #2 Boards for a term through December 31, 2013. To appoint Richard Stevens to Place 4 on the LERA Board for a term through December 31, 2013.

- d. Upon motion by Council member Gerard and second by Council member Shoemaker the members the members **voted 6-0** to confirm Mayor's nomination of David Coleman as Chairman of the TIRZ #1 Board, Jack Gregg as Chairman of the TIRZ #2 Board, and Dan Jaworski as Chairman of the LERA Board for terms through December 31, 2012.
- e. Upon motion by Council member Cornelious and second by Council member Stevens the members **voted 6-0** to authorize the Town Manager to enter into an annual contract with Nortex Concrete Leveling and Stabilization through an interlocal purchasing agreement with the City of Grand Prairie for an amount not to exceed \$125,000.00 for 2012 street repairs.
- f. Upon motion by Council member Roebken and second by Council member Cornelious the members **voted 6-0** to approve a Design Task Order for Riney Road Water Line Relocation between the Town of Little Elm and TRC Engineers, Inc. for the amount of \$54,743.00 and authorize the Town Manager to execute a contract for the same.
- g. Upon motion by Council member Stevens and second by Council member Gerard the members **voted 4-2** (opposed Mayor Platt and Council member Roebken) to approve a Design Task Order for the Hilltown Subdivision Engineering Study between the Town of Little Elm and TRC Engineers, Inc. for the amount of \$15,000.00 and authorize the Town Manager to execute a contract for the same.
- h. Upon motion by Council member Cornelious and second by Council member Shoemaker the members **voted 6-0** to approve a Ground and Tower Lease with New Cingular Wireless PSC, LLC for the placement of antennas on the Walker Lane Elevated Water Storage Tank Site and authorize the proceeds to be dedicated to the Landscape Fund.
- i. Upon motion by Council member Cornelious and second by Council member Gerard the members **voted 6-0** to approve Change Order #1 to the Guaranteed Maximum Price Amendment #2 to the Construction Manager at Risk Agreement for the Recreation Center and Senior Center between the Town of Little Elm and Adolfsen & Peterson and authorize the Town Manager to execute for the same.
- j. Upon motion by Council member Roebken and second by Council member Stevens the members **voted 6-0** to adopt Ordinance No. 1092 an Ordinance of the Town of Little Elm, Texas, amending the Code of Ordinances of the Town, by amending Chapter 90 (Streets, Roads, and other Public Property), by repealing the existing Article IV (Street Excavation), in whole, and replacing it with a new Article IV (Right-of-Way Management) to update and revise the

Town's Regulation, Permitting, Review, Operation, and General Use Of Public Rights-Of-Way; providing a savings clause; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date.

- k. Upon motion by Council member Cornelious and second by Council member Shoemaker the members voted 6-0 to adopt Ordinance No. 1094 an Ordinance of the Town Council of the Town of Little Elm, Texas, determining Rules of Procedures for Public Hearings and Presentations and Announcements: providing for a severability clause; and providing for an immediate effective date.

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

- a. Town Secretary Monthly Report for November 2011.
- b. Development Services Monthly Report for November 2011.
- c. Thanks to Fire Department.

10. The Town Council held an Closed (executive) session meeting at 7:32 p.m. pursuant to Chapter 551, Texas Government Code, Vernon's Texas Code Annotated, in accordance with the authority contained in:

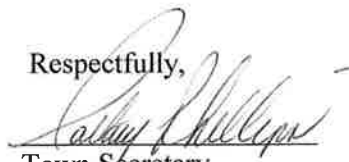
**Section 551.074:** Personnel Matters, discussion regarding Town Manager vacancy.

11. Reconvened into Open Session at 7:42 p.m. Discussion and consideration to take any action necessary as the result of the closed (executive) session.

**Section 551.074:** Upon motion by Council member Cornelious and second by Council member Gerard the members voted 6-0 to approve raising the Interim Town Manager salary to the previous Town Manager Salary effective December 20, 2011.

12. Adjourned Work Shop and Regular Meeting at 7:43 p.m.

Respectfully,



Town Secretary

Passed and Approved this \_\_\_\_ day of \_\_\_\_ 2012.