

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

**WORKSHOP AND REGULAR TOWN COUNCIL MEETING**  
**Tuesday March 6, 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, Dianne Lawson, Jason Laumer, Dusty McAfee, Tony Chrisman, Jennette Killingsworth, Spencer Smith, Kevin Mattingly, Waylan Rhodes, and Joe Florentino.

**1. Call to Order Council Work Shop at 6:00 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- a. Items to be withdrawn from Consent Agenda.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. **Council members Stevens** requested that on a future agenda the following be placed for discussion: (1) Collection Companies vs. Warrant Officer and (2) Municipal Development District vs. EDC.
- d. Discussion regarding Fees, Policy and Procedures for the Senior Center and Recreation Center. **Parks Director Tony Chrisman** informed Council with the upcoming opening of the new Senior Center and Community/Recreation Center staff is preparing updated guidelines for the use of the facilities. Included in handout are fee schedules for the use of Community/Recreation Center with membership fees and rental rates. Staff does not recommend the Senior Center meeting room space to be open for public reservation. As part of these policies and guidelines proposed programs are included along with the cost to enroll in those programs. Contract instructor rates are set as a competitive cost to run the program. Guideline usages for the facilities specify acceptable activities for patrons along with membership fees. Membership fee are proposed at a resident and non-resident rate. The proposed rates are set as a competitive rate for the surrounding communities taking in to consideration the size of our facility and activities offered. Included in the fees staff is allowing for student rates that other communities do not offer. The proposed fees are a cost to the user not cost to the Town. The proposed membership fees and programs fees are proposed to recover approximately 80% operational costs with full capacity. Upon opening of the Senior Center and Community/Recreation Center staff is requesting the fees, policies and procedures be considered by council at a future meeting prior to opening date.
- e. Discussion regarding revision to Solicitors Ordinance. **Planning Director Dusty McAfee** stated that the need to make a revision to this ordinance to better clarify the use of music on ice cream vendor vehicles.

- f. Discussion regarding financing options for the Town's Utility System Capital Improvements and discussion of refinancing some of the Town's existing debt obligations to reduce interest rate and generate annual savings. **Finance Director Alan Dickerson** informed Council that the purpose of this item was to brief them regarding the process of refunding existing bonds at an interest saving of 18% or approximately \$1.8M over the life of the outstanding bonds. The savings will be both on the Town's General Debt and the Town's Utility. Regarding the process of issuing \$6M in new certificates of obligation for Utility Systems Improvements. These bonds will be self-supporting by the Utility System; the project and the planned debt issuance are currently in the Town's Utility Rates and Charges. The Town's Financial Advisory Firm, Southwest Securities will present a presentation with a review of the calendar of events and the finite details of the transactions. The Finance Department and the Town's financial advisors have been following the bond market borrowing rates for many months now. We are in a period of historical and unprecedented low borrowing rates. The impact of the refunding on the Town's Tax Supported Debt will be an estimated \$62,000 annual saving (1/2 cent on the tax rate); the Utility Fund Self-Supporting debt will realize as estimated \$89,000 annual savings. Staff is not asking for formal action; however, the Finance Director would be to obtain direction from Council in regard to moving forward with the intent to issue new money certificates and refund the existing bonds. Mark McLiney gave a brief presentation on New Money Financing and Refinancing Existing Debt; and the savings that could incur in today's market.
- g. Review and discuss suggested amendments to the Financial Policies and Procedures. **Finance Director Alan Dickerson** stated that the purposed of this item is to present the Town council recommended practices, policies and procedures pertaining to the following: Budget Administration, Financial Reporting, Accounting, Asset Management and Procurement, Debt Management, Fund Balances, Purchasing, and Cash and Investments. All the policies and procedures as written and in handout are in practice currently; the significant and major change is in regard to Purchasing and procurement which changes the Town Council approval threshold from \$25,000 to \$50,000 which is in accordance with Texas Local Government Code. Staff is not asking for action, however the Finance Director would like to receive direction regarding any suggested amendments to the policies; the Finance Director with direction of Council will bring back to Council the policies as amended for Council approval at a later meeting. Council consensus was to take out strike (2) in the use of P-cards.
- h. Presentation of monthly updates from department heads: **Parks Director** Tony Chrisman introduced Spencer Smith the new Library Director. Encouraged the Council to visit the library to see the changes already made. Positive things are happening. Spencer is as asset to the library. Council welcomed him on board. **Public Works Director** Kevin Mattingly informed Council that a med-return box would be placed at the Little Elm Pharmacy. Internal policy is in place with thanks to the police department. The Clean and

Green for April has been cancelled due to construction at service center. Staff is working on alternate plans to modify ways to hold some programs. School Zone driver feedback signs have been placed on Walker, Woodlake and Hart; should be operational by end of week. Council member Stevens thanked Kevin for the med-return box as was very much needed. Council member Roebken asked if the school zone sign would be placed back on Lobo Lane. **Director of Development Services** Jason Laumer informed Council that a 30 feet long design plan for Eldorado Parkway was now installed on the wall leading back to administration for public viewing. **Police Chief Waylan Rhodes** reported that the part-time jailers would start tomorrow; jail to be opening in approximately two weeks.

- i. Council to highlight items on the agenda needing further discussion or comments prior to the regular session. **NONE**
2. **Presentations and Announcements:** Planning Manager Dusty McAfee informed Council of the Town of Little Elm officially being designated as a Tree City USA Community thru the Arbor Day Foundation. The Town is one of 73 communities being recognized. Staff received the plaque, flag and two street signs. The street signs will be erected in the Town.
3. **Roll Call/Call to Order Regular Town Council Immediately Following Council Workshop.**
4. **Opening Prayer:** Curtis Cornelious-Praise Fellowship Worship Center.
5. **Pledge to the Flags:**
  - a. United States Flag
  - b. Texas Flag
6. Public Comments: **NONE**
7. Upon motion by Council member Roebken and second by Council member Cornelious the members **voted 6-0** to approve the Consent Agenda as presented:
  - a. **Minutes** of the February 7, 2012 Workshop and Regular Meeting.
  - b. **Accept** resignation of Robert Anderson from the Board of Adjustment.
  - c. **Re-appoint** Deleon English to Place 1 and Bryan Lewis, Jr. to Place 4 on the Planning and Zoning Commission for three (3) year terms expiring 02-28-2015; re-appoint Bill Horner to Place 2 and Stephanie Gregg to Place 4 on the Board of Adjustment for two (2) year terms expiring 02-28-2014 and; re-appoint Brian Rawlins to Place 7 on the Alternate Panel for a three (3) year term expiring 02-28-2015.
  - d. **Approve** Britton Meter Supply bid in the amount of \$155,283.81 for the procurement of Radio Read Meters and authorize staff to purchase as needed.

- e. **Appoint** Rob Blissett to the Parks and Recreation Board to fill an unexpired term expiring 10-21-2012.
- f. **Accept** the 2011 Racial Profiling Report as presented.
- g. **Approve** Advance Funding Agreement Amendment #2 between the State of Texas and the Town of Little Elm for termination of agreement to install water lines and wastewater lines and authorize the Town Manger to execute the same.

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

- a. Upon motion by Council member Cornelious and second by Council member Shoemaker the members **voted 6-0** on Economic Development Corporation recommendation to appoint Neil Blais and Robert Anderson as alternates on the EDC Board of Directors with terms expiring March 6, 2015.
- b. Upon motion by Council member Roebken and second by Council member Gerard the members **voted 6-0** to approve the Town of Little Elm co-sponsorship of the Arts and Sounds by the Lake Event in Little Elm Park to be held on May 19<sup>th</sup>.
- c. Upon motion by Council member Gerard and second by Council member Shoemaker the members **voted 6-0** to approve Amended Facilities Utilization Agreement.
- d. **Discussion** on submission of Staffing for Adequate Fire and Emergency Response SAFER GRANT. Fire Chief Joe Florentino informed the Council that the Fire Department had applied for the 2011/2012 Staffing for Adequate Fire and Emergency Response (SAFER) grant program through the U.S. Department of Homeland Security. SAFER grants provide financial assistance to help fire departments increase their amount of frontline firefighters to gain NFPA 1710 staffing compliance. The grant works on a salary schedule as follows: Year One: Little Elm \$90,000 - Federal: \$551,430. Year Two Little Elm \$0 – Federal \$567,945. Year Three Little Elm \$584,983 – Federal \$0. We are asking for nine firefighters to complete the staffing of our two fire stations and gain NFPA 1710 compliance. COST: \$0 to the town for the first two year for salaries. \$90,000 cost added to operational portion of the budget for bunker gear, uniforms, training, certifications, etc. No obligation to keep staff after the two year grant period. \$584,983 if staff is retained after the two year period in year three. This is all pending approval from FEMA. Council questions were if unable to fund after the two years what effect would it have on the department. Chief stated that in order to apply for the grant they had to request (9) positions; minimum to keep on staff would be (3).
- e. Upon motion by Council member Gerard and second by Council member Cornelious the members **voted 6-0** to approve amendment for Court Services Agreement between the Town of Little Elm and Patricia Adams to provide for

magistrate services for the Town and authorize the Town Manager to execute the same.

- f. Upon motion by Council member Cornelious and second by Council member Stevens the members **voted 6-0** to approve Change Order #3 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 Adolfson & Peterson in the amount of \$401,000.00 and authorize the Town Manager to execute for the same.
- g. Upon motion by Council member Roebken and second by Council member Gerard the members **voted 6-0** to approve Design Task Order for the Cottonwood Trail Improvements between the Town of Little Elm and TRC Engineers, Inc. for the amount of \$13,125.00 and authorize the Town Manager to execute a contract for the same.
- h. Upon motion by Council member Stevens and second by Council member Gerard the members **voted 6-0** to award the construction contract for the Robertson Elementary Playground Improvements in the amount of \$34,720.60 to Quality Excavation, Ltd. of Aubrey, Texas and authorize the Town Manager to execute a contract for the same.
- i. Upon motion by Council member Roebken and second by Council member Shoemaker the members **voted 6-0** to approve Task Order to submit for a Hazard Mitigation Action Plan Grant (HMAP) and start work on the plan between the Town of Little Elm and Freese & Nichols for the amount of \$113,048.00 and authorize the Town Manager to execute a contract for the same.
- j. Upon motion by Council member Gerard and second by Council member Cornelious the members **voted 6-0** to approve a Work Order to submit for a Safe Room Grant to FEMA between the Town of Little Elm and Blais & Associates for the amount of \$3,265.75 and authorize the Town Manager to execute a work order for the same.
- k. Upon motion by Council member Cornelious and second by Council member Gerard the members **voted 6-0** to approve roadway impact fee reduction for Lakeshore Crossing-Lot 4 and authorize the Town Manger to direct staff the same.
- l. Upon motion by Council member Roebken and second by Council member Cornelious the members **voted 6-0** to approve Construction Change Order #3 in the amount of \$136,305.50 for the Town's Lobo Lane Improvement Projects to Quality Excavation, Ltd. of Aubrey, Texas and authorize the Town Manager to execute the same.

- m. Upon motion by Council member Roebken and second by Council member Cornelious the members **voted 6-0** to approve Task Order for the design of the 2.0 MGD Elevated Tank between the Town of Little Elm and Freese & Nichols for the amount of \$433,200.00 and authorize the Town Manager to execute a contract for the same.
- n. Upon motion by Council member Stevens and second by Council member Cornelious the members **voted 6-0** to approve Resolution No. 03061201 a Resolution declaring expectations to reimburse expenditures with proceeds of future debt.

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

- a. Town Secretary Monthly Report for January 2012.
- b. Development Services Monthly Report for January 2012.
- c. Letter from Strategic Technologies regarding sell to Grande Communications.
- d. Thank You to the Fire Department.
- e. Thank You to the Fire Department.
- f. Thank you from the Garst/Savoie Family.
- g. Public Works Monthly Report.

10. Adjourned Work Shop and Regular Meeting **at 8:10 p.m.**

Respectfully,



Town Secretary

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