

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

WORKSHOP, PUBLIC HEARING AND REGULAR TOWN COUNCIL MEETING
Tuesday June 19, 2012

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

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- a. Items to be withdrawn from Consent Agenda.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. **NONE**
- d. Discussion on release of employee for time to participate in Special Olympic type events. **Town Manager Doug Peach** stated that this item was requested by Council member Stevens. According to the Employee Manual Section 4.13 Town-Sponsor/Town Sanctioned Events.....The Town encourages employees to participate in community and charitable events. Participation in events will generally not be considered work hours or compensable time. The employee may be authorized to use vacation leave or personal day to participate in these events. If deemed to benefit the Town, and as determined by the Town Manager, participation in Town-sponsored or Town-sanctioned events maybe consideration compensable time. Several members of Town staff have signed up and volunteer for many years. Using either vacation time or personal day. Do not believe that any of these employees have ever questioned being compensated. To volunteer is to give of yourself and our time. After discussion by all council members they were in agreement to using vacation or personal day to participate in this event. However, Doug was directed to look into ways the Town can give of its self also. Such as possible sponsorship.
- e. Presentation of monthly updates from department heads: **Development Services Director Jason Laumer** reported to Council that the Grand Opening of the new RacTrac was this Thursday morning at 10:30 a.m. The Mansion Estates had obtained a building permit, the McCord Park construction would likely start in August. Little Elm Eye Care would be building next to Lakeside Dental Office across from Castleridge. Building permits for the month were up and in Health Services Mike Green was doing a great job. The Lobo Lane Project would be closing out in the next couple of months. **Parks Director Tony Chrisman** informed Council of the Ribbon Cutting for the

newly opened Brenda Button Mills Senior Center scheduled for Saturday July 28th formal invitations would be sent out soon. Town Manager Doug Peach reported for EDC Director Jennette Killingsworth: at the EDC Board meeting on June 11th the board directed Jennette to move forward on the demolition of the Red Carpet Restaurant. The sign will be taken down for preservation as directed by council; not sure at this time how will be used. Doug also reminder every one of the RacTrac Grand Opening Thursday June 21st at 10:30 a.m.

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

2. **Presentations and Announcements:**

- a. Public Works Director Kevin Mattingly and Municipal Coordinator Robert Medigovich with CWD recognized and presented certificate to Francine Kruzitski recipient of the 2012 Greater Dallas Fort Worth Recycling Alliance's (GDFWRA) Volunteer of the Year award.
- b. Municipal Coordinator Robert Medigovich represented Public Works Director Kevin Mattingly with a Certificate of Merit for the Town of Little Elm and CWD for Outstanding Recycling Partnership.
- c. Presentation to Jennette Killingsworth EDC Executive Director was pulled until future agenda.

3. Roll Call/Called to Order Regular Town Council Immediately Following Council Workshop.

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

5. **Pledge to the Flags:**

- a. United States Flag
- b. Texas Flag

6. **Public Hearing and Action:** A request for a Specific Use Permit for a Temporary Batch Plat on approximately 2.07 acres of land, generally located at the northwest corner of FM 423 and Sunflower Drive, currently zoned PD-SF (Single Family).

- a. **Staff Report:** Dusty McAfee Planning Manager informed the Council that a temporary batch plant requires Council approval, via resolution, per Chapter 106 of the Little Elm Code of Ordinances. The requested batch plant is for the construction of Sunset Pointe, Phase 22 and 23, and is proposed to be in operation for approximately one (1) month. Council has approved temporary batch plants in recent years for reconstruction of Lobo Lane and for Eldorado Estates West, Phase 3. The State heavily regulates batch plants in terms of air quality, site fencing, and other safety concerns. The applicant's TCEQ operational permits are pending approve by the State. If Council approves the

use of the temporary batch plant, it will reduce the number of heavy trucks driving the residential streets of Sunset Pointe, reduce the cost of concrete by up to 50%, and reduce the time of construction. The hours of operations would follow Town regulations. Access to the site would be accomplished via Marlin Drive. Staff and the Planning and Zoning Commission recommend approval of this request.

- b. Opened Public Hearing **at 6:21 p.m.**
- c. Receive Public Comments. **NONE**
- d. Closed Public Hearing **at 6:21 p.m.**
- e. Upon motion by Council member Stevens and second by Council member Gerard the members **voted 5-0** to approve Resolution No. 06191201 a Resolution of the Town of Little Elm allowing for a Temporary Concrete Batch Plant on approximately 2.07 acres of land, currently zoned Single Family District (PD-SF), generally located at the Northwest Corner of FM 423 and Sunflower Drive, Little Elm, Denton County, Texas; providing an effective date.

7. **Public Comments: NONE**

8. Upon motion by Council member Cornelious and second by Council member Shoemaker the members **voted 5-0** to approve the Consent Agenda as presented:

- a. **Minutes** of the June 5, 2012 Workshop, Public Hearing and Regular Meeting.
- b. **Minutes** of the June 12, 2012 Special Meeting.
- c. **Final Plat** Paloma Creek South, Phase 9B from Petitt Barraza LLC, generally located at the northeast corner of Villa Paloma Boulevard and Hawk Valley Drive, in the Town's ETJ.
- d. **Interlocal Agreement** between the Town of Little Elm and Denton County for Tax Collections for a term of one (1) year beginning October 1, 2012 through September 30, 2013 with an automatic renewal of an additional one (1) year term at the discretion of the County and the Town.
- e. **Interlocal Cooperative** Agreement for Shared Governance Communications & Dispatch Services System between Denton County and the Little Elm Police Department for the amount of \$86,506.00 expiring September 30, 2012.
- f. **Interlocal Cooperative** Agreement for Shared Governance Communications & Dispatch Services System between Denton County and the Little Elm Fire Department for the amount of \$18,031.00 expiring September 30, 2012.
- g. **Re-appoint** Holly Fox as Alternate Municipal Court Judge for the Town of Little Elm and authorize Town Manager to execute Letter of Agreement for same.

9. **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 5-0** to award contract to the audit firm of Weaver LLP as the Town's auditors to audit financial statements for the fiscal

period ending September 30, 2012 and 2013 with consideration of maintaining their audit services for three (3) consecutive optional one year renewal periods.

- b. Upon motion by Council member Gerard and second by Council member Cornelious the members **voted 5-0** to approve Construction Change Order # 6 in the amount of \$65,464.00 for the Town's Lobo Lane Project to Quality Excavation, Ltd. of Aubrey, Texas and authorize the Town Manager to execute the same.

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

- a. Town Secretary Monthly Report for May 2012.
- b. Development Services Monthly Report for May 2012.
- c. Public Works Monthly Report.
- d. Thank You-Laurie McKee.

11. Adjourned Work Shop and Regular Meeting **at 6:34 p.m.**

Respectfully,



Town Secretary

Passed and Approved this _____ day of _____ 2012.