## MINUTES Town of Little Elm 214-975-0404

http://www.littleelm.org

### WORKSHOP AND REGULAR TOWN COUNCIL MEETING Tuesday July 17, 2012

Present: David Hillock Mayor, Stephanie Shoemaker Mayor Pro-tem, Council members Richard Stevens, Curtis Cornelious, Katie Gipson, and Chip Norman. Absent: Council member Bill Roebken. Staff: Robert Brown, Kathy Phillips, Alan Dickerson, Dianne Lawson, Jason Laumer, Dusty McAfee, Tony Chrisman, Kevin Mattingly, Jennette Killingsworth, Waylan Rhodes, Leslie Smith, and Brian Roach.

## 1. Call to Order Council Work Shop at 6:00 p.m.

- a. Items to be withdrawn from Consent Agenda. **NONE** (on future agendas move board appointments down on agenda to reports and council consideration)
- b. Emergency Items if posted. NONE
- c. Request by the Town Council for items to be placed on a future agenda for discussion, and recognition of excused absences. **NONE**
- d. Discussion on Ordinance No. 1088 establishing a Code of Ethics Policy. Mayor Hillock had several items regarding this item for discussion: (1) use of his or her position on behalf of any political party or engage in any political activity which does not maintain the nonpartisan policy of the Town (this could be a violation of a individuals rights and should be remove or wording changed), several other council members had questions regarding this item, (2) directly or indirectly disclose or use any information gained solely by reason of his or her official position for his or her own personal gain or benefit or for the private interest of others (this should be clarified), board and commission members are volunteers; not sure they should have to be held by the same policy they may not be aware they are doing something wrong, and (3) engage in any outside activities which will conflict with his or her assigned duties in the Town, or which his or her employment with the Town will get him or her an advantage over others engaged in similar business, vocation or activity (your job could keep with you away from preforming your duties). Town Attorney stated that when the ordinance was adopted by the council he had suggested that in 3 months or so the council could revisit and modify as this was a very restrictive ordinance. You cannot set standards to narrow. Council could create standards for board and commissions separate from council and employees. Could appoint an arbitrator to hear any violation of ordinance; and or create an Ethics Board. The Council was in consensus to place the Ethics Policy on a future workshop for more in depth discussion and consider any modifications needed on a future agenda.
- e. Discussion regarding implementation of Council Partners Program and Schedule. Council Partners will pair Council member in a rotating six week

- schedule, allowing each Council Member to build personal and professional relationships with fellow members. During each rotation, conversations between Council Members will be limited to their assigned partner. Mayor Hillock handed out schedule to Council members for their review. One modification on pairing was noted; David to send Town Secretary updated schedule. Council member Gipson asked if there would be any guidelines to follow. Council member Stevens suggested meeting twice during the periods, with additional meetings if felt needed. Limiting the conversation with just that one member. Town Attorney stated that council members paired should not send emails to other members regarding their conversation with their partners.
- Staff report on planning and action regarding Mosquito Control and West Nile Virus. Parks Director Tony Chrisman presented Council with a handout regarding West Nile Virus. That staff was looking at what other surrounding cities were doing also. They would be placing articles in the newsletter, and sending out press releases. The Code Enforcement Department was also being pro-active in their surveillance of our neighborhoods and letting homeowners know if they see a potential problem. Public Works and Park Staff were also looking to identify any problem areas. The use of spraying is somewhat limited; educating the public is the best tool. Public Work Director Kevin Mattingly informed Council that the use of the web site to provide informational links to the public regarding the West Nile Virus was also being implemented. Council member Stevens stated he appreciated the information from staff and also stated he would like to avoid any aerial spraying if possible. Also ask that we use the message boards for information. Question was presented as to vacant or abandoned houses with swimming pools creating any problems. Staff stated not at this time. Council member Stevens informed the Council that Chief Florentino will come before Council at a future meeting to address the Emergency Management procedures in place for this topic.
- g. Presentation of monthly updates from department heads: Development Services Director Jason Laumer report to Council that the contractor will be laying the beams for the Lake Bridge this week; that Witt Road Bridge was moving along on schedule. The Recreation/Community Center had been turned over to the Parks Department. Staff had issued 70 permits for the month of June; the Little Elm Eye Care would be constructing their new facility by Lakeside Dental offices. Chevron should be opening in the next week or two. Several plats were approved with building permits forthcoming. The proposed McCord Park should start construction in August. Staff was still having a few problems with the message boards; working with manufacturer to remedy. Finance Director Alan Dickerson reminded Council of the important meeting dates scheduled for August regarding budget presentation, budget workshops and truth in taxation meetings required. Alan also informed Council that staff should receive certified tax values with the next week.

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

#### 2. Presentations and Announcements:

- a. Mayor Pro-tem Stephanie Shoemaker presented Shelby Sutton with a Certificate of Valor for her act of prompt and unselfish heroic actions of rending aid and her trained knowledge of CPR which extend beyond the call of duty that resulted in saving a five year old little boys life.
- b. Robert Medigovich Municipal Coordinator of Community Waste Disposal (CWD) presented Keep Texas Beautiful OP Schnabel Senior Citizen Award to Francine Kruzitski.
- c. Robert Medigovich Municipal Coordinator of Community Waste Disposal (CWD) presented Keep Texas Beautiful Government Award Citation of Merit to the Town of Little Elm.
- 3. Roll Call/Called to Order Regular Town Council Immediately Following Council Workshop.
- 4. Opening Prayer: Pastor Brad Sutton-Point Church.

#### 5. Pledge to the Flags:

- a. United States Flag
- b. Texas Flag

#### 6. Public Comments:

- 7. Upon motion by Council member Cornelious and second by Council member Shoemaker the members **voted 6-0** to approve the Consent Agenda as presented:
  - a. Minutes of the July 2, 2012 Special Meeting.
  - b. Minutes of the July 3, 2012 Workshop and Regular Meeting.
  - c. Accept resignation from Renn Leech and Appoint Michael Laughlin to fill vacancy on Park and Recreation Board for the remainder of the unexpired term ending 10-21-12.

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

- a. Upon motion by Council member Stevens and second by Council member Cornelious the members <u>voted 6-0</u> to approve Outdoor Advertising Structure Conversions on Agreement between the Town of Little Elm and Brown Outdoor Advertising LLC.
- b. Upon motion by Council member Cornelious and second by Council member Shoemaker the members **voted 6-0** to **TABLE** proposed Conceptual Site Plan

- for Johnny Joe's with conditions as provided by Staff until the August 21, 2012 regular meeting.
- c. Upon motion by Council member Shoemaker and second by Council member Stevens the members <u>voted 6-0</u> to implement the Council Partners Program and Schedule with revision noted to schedule.
- d. Upon motion by Council member Gipson and second by Council member Cornelious the members <u>voted 6-0</u> approve the Town of Little Elm cosponsorship of the Ryan Project Mid-Summer Dance scheduled for July 28<sup>th</sup> at the new Recreation Center.
- e. NO ACTION TAKEN bring back to August 7<sup>th</sup> meeting: Ordinance No. 1106 an ordinance of the Town Council of the Town of Little Elm repealing in its entirety Article II, Chapter 46 "Nuisances and Vegetation" of the Code of Ordinances; establishing a new Article II, Chapter 46 entitled "Nuisance and Vegetation", establishing regulations; providing definitions; providing a penalty of fine not to exceed two thousand dollars (\$2,000.00) for each offense and a separate offense shall be deemed committed each day during or on which a violation occurs or continues; providing for a repeal of conflicting ordinances; providing a savings clause; severability clause; providing for an effective date.
- f. Upon motion by Council member Cornelious and second by Council member Shoemaker the members **voted 6-0** to approve and accept Quarterly Budget Report ending June 2012.
- g. Upon motion by Council member Shoemaker and second by Council member Cornelious the members **voted 6-0** to approve and accept Cash and Quarterly Investment Report ending June 30, 2012.
- 9. **FYI:** (All matters are provided to the Town Council for informational purposes only)
  - a. Town Secretary Monthly Report for June 2012.
  - b. Development Services Monthly Report for June 2012.
  - c. Public Works Monthly Report.
- 10. Adjourned Work Shop and Regular Meeting at 8:08 p.m.

Respectfully,	
Cathul thatthu	
Town Secretary	
PASSED AND APPROVED this day of	2012.