

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

WORKSHOP, PUBLIC HEARING AND REGULAR TOWN COUNCIL MEETING

Tuesday May 3, 2016 -6:00 p.m.

Present: David Hillock Mayor (arrived at 6:34 p.m.), Michael McClellan Mayor Pro-tem, Council members James Dominy, Neil Blais, Chip Norman, and Stephanie Shoemaker. **Absent:** Council member Musteen (representing Council at TxDOT meeting) **Staff:** Robert Brown, Matt Mueller, Joe Florentino, Kathy Phillips, Karla Stovall, Jason Laumer, Kimberly Brawner, Lisa Reich, Jennette Killingsworth, Chad Hyde, Kevin Mattingly, and Jeremy Wilson.

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

- a. Invocation:
- b. Items to be withdrawn from Consent Agenda. *None*
- c. Emergency Items if posted. *None*
- d. Request by the Town Council for items to be placed on a future agenda for discussion, and recognition of excused absences. *None*
- e. Discussion regarding necessity of 380 Overlay district. *Item tabled until next meeting.*
- f. Discussion regarding naming of the proposed 10' hike and bike trail in Frisco Hills and Valencia subdivisions. *Town Engineer Kimberly Brawner* presented Council with map of the trail systems; Council consensus was to name the trails Doe Branch and Panther Creek Trail to keep consistent with the area.
- g. Presentation of monthly updates from department heads: *Director of Development Services Jason* Laumer presented handouts to Council on request from Crown Castle regarding placement of antenna's FM 423 east of Eldorado Parkway. This item is on the consent agenda for council consideration. Also discussed with Council the McCord Park erosion control project areas needing to be fixed and funding for the same. *Town Manager Matt Mueller* informed Council that appointment of members to the Comprehensive Plan Committee would be placed on the next meeting. Possibility 10-12 member committee consisting of member from EDC, CDC, P&Z, LEISD, person active in the community, etc.
- h. Council to highlight items on the agenda needing further discussion or comments prior to the regular session. *None*

Upon motion by Council member Blais and second by Council member Norman the members **voted 5-0** to recess Regular Council meeting and convene into the Little Elm TIRZ #3 Board **at 6:22 p.m.**

Upon motion by Council member Blais and second by Council member Norman the members **voted 5-0** to reconvene into Regular Council meeting **at 6:30 p.m.**

2. **Roll Call/Call to Order** Regular Town Council Immediately Following Council Workshop.
3. Pledge to the Flags:
 - a. United States Flag
 - b. Texas Flag
4. Presentation:
 - a. Mayor Hillock read and presented Proclamation proclaiming May 2016 as Building Safety Month in the Town of Little Elm to Cruz Hernandez Building Manager.
 - b. Mayor Hillock read and presented Proclamation proclaiming May 15-21, 2016 as National Public Works Week in the Town of Little Elm and presented to Kevin Mattingly Public Works Director and several public works employees.
5. Annexation:
 - a. Upon motion by Council member Norman and second by Council member Shoemaker the members **voted 5-0** to adopt Ordinance No. 1328 an Ordinance of the Town of Little Elm, Texas, annexing adjacent and contiguous territory, as described in the attached legal description and as depicted in the attached location map, to the Town of Little Elm, Texas; finding that all necessary and required legal conditions have been satisfied; providing that such area shall become a part of the Town and that the owners and inhabitants thereof shall be entitled to the rights and privileges of other citizen and should be bound by the Acts, Ordinances, Resolutions and Regulations of the Town of Little Elm now in effect and to be hereafter adopted; approving and adopting a service plan for the annexed area; further providing a for amending and correcting the official boundaries of the Town as heretofore adopted; correcting the official Town maps; assigning a council district; providing a savings clause; providing a severability clause; providing a repealer clause; and providing an effective date.
6. Public Hearing: on request to rezone approximately 325.5 acres of land from Extra Territorial Jurisdiction (ETJ) to Planned Development-Single Family district (PD-SF), generally located north of Fishtrap Road, west of Bryan Road, within Little Elm's ETJ.
 - a. Staff Comments: **Town Planner Lisa Reich** informed Council that on December 17, 2013, the Town Council approved the zoning and Planned Development Regulations on the first tract of Union Park, generally located on the northeast corner of University Drive and Navo Road for commercial and residential development. Hillwood Communities has recently acquired approximately 325.5 acres to create Tract 2 of Union Park, which brings the development's total area to

approximately 1,083 acres. Hillwood Communities is requesting that the existing PD is amended to include the subject property and add Exhibits A-R to the existing Planned Development regulation. Staff recommends approval of the requested Planned Development District. On April 21, 2016 the Planning and Zoning Commission unanimously recommended approval of the PD.

- b. Opened Public Hearing **at 6:35 p.m.**
- c. Received Public Comments: None
- d. Closed Public Hearing **at 6:36 p.m.**
- e. Upon motion by Council member Norman and second by Council member Blais the members **voted 6-0** to adopt Ordinance No. 1329 an Ordinance of the Town of Little Elm Texas, amending the Official Zoning Map of the Town and to amend the Zoning Ordinance No. 1188 by adding an additional 325.5 acres to the Development commonly known as Union Park; by approving new plans for development; by approving new roadway sections and new street diagrams; by approving new development standards; providing a savings clause; correcting the Town's official zoning map; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date.

7. Public Comments: **None**

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

- a. **Minutes** of the April 19, 2016 Workshop, Public Hearing and Regular Meeting.
- b. **Final Plat** Parker Crossing, Lot 2, Block A, from Baird, Hampton & Brown, Inc., generally located on the southeast corner of University Drive and Oak Grove Parkway within Little Elm town limits.
- c. **Final Plat** Paloma Creek Phase 6A, from Petitt Barraza LLC, generally located along Salt Branch Road, located in Little Elm's ETJ.
- d. **Final Plat** Paloma Creek Phase 13D from Petitt Barraza LLC, generally located along Rose Garden Drive, located in Little Elm's ETJ.
- e. **Approve** Municipal Right of Way and Pole Use Agreement between the Town of Little Elm and Crown Castle NG Central, LLC and authorize the Town Manager to execute for the same.
- f. **Receive and Accept** Quarterly Investment ending March 31, 2016.
- g. **Receive and Accept** Quarterly Budget Report ending March 31, 2016.
- h. **Final Acceptance** Valencia on the Lake Lift Station.
- i. **Final Acceptance** Valencia on the Lake Off-site Sewer.
- j. **Final Acceptance** Villages of Woodlake Irrigation Project.
- k. **Authorize** the use of the City of Grand Prairie cooperative contract with Nortex at the unit price listed (\$3.76) for an amount not to exceed \$125,000 for the FY 2016 Concrete Leveling & Stabilization Program.
- l. **Approve** Resolution No. 05031602 a Resolution of the Town Council of the Town of Little Elm, Texas, approving certain project expenditures; approved by the TIRZ #3 Board of Directors for Lakefront District; providing a severability clause; and providing for an effective date.

- m. **Award** Bid No. 2016-43 for McCord Park Drainage Project to Quality Excavation, LTD. for an amount not to exceed \$321,199.00 and to authorize the Town Manager to execute the contract.
- n. **Approve** Resolution No. 05031603 a Resolution of the Town of Little Elm, Texas, consenting to the addition of certain land into Highway 380 Municipal Management District No. 1.

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

- a. Upon motion by Council member McClellan and second by Council member Norman the members **voted 6-0** to **TABLE** 380 Economic Development Program and Agreement between the Town of Little Elm and HEB Grocery Company, LP and authorize the Town Manager to execute agreement for the same.
- b. Upon motion by Council member Blais and second by Council member Norman the members **voted 6-0** to approve McCord Park Drainage Improvements Funding Agreement between the Town of Little Elm and Western Rim Investor 2014-5, L.P. and authorize the Town Manager to execute contract for the same.
- c. Upon motion by Council member McClellan and second by Council member Blais the members **voted 6-0** to **TABLE** Interlocal Cooperative Agreement between the Town of Little Elm and City of Frisco regarding Cottonwood Branch and authorize the Town Manager to execute agreement for the same.
- d. Upon motion by Council member Norman and second by Council member Dominy the members **voted 6-0** to appoint Council member Michael McClellan as representative to the Ryan Project to serve as a liaison between the Town and the Ryan Project board.
- e. Upon motion by Council member Shoemaker and second by Council member Norman the members **voted 6-0** to approve a Performance Agreement by and between the Town of Little Elm and the Little Elm Economic Development Corporation regarding property in the Lakefront District and authorize the Town Mayor to execute a contract for the same.

10. Council convened in Executive Session **at 7:20 p.m.** pursuant to Texas Government Code:

- Section 551.071 for private consultation with the Town Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the Town Attorney has a duty under the Texas Rules of Discipline and Professional conduct regarding confidential communication with the Town Council.
- Section 551.072 to discuss certain matters regarding real property.
- Section 551.076 to discuss security matters.
- Section 551.087 to discuss Economic Development.

11. Reconvened into Open Session **at 8:00 p.m.** Discussion and consideration to take any action necessary as the result of the Executive Session.

- Section 551.071 for private consultation with the Town Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the Town Attorney has a duty under the Texas Rules of Discipline and Professional conduct regarding confidential communication with the Town Council. **No Action Taken**
- Section 551.072 to discuss certain matters regarding real property. **No Action Taken**
- Section 551.076 to discuss security matters. **No Action Taken**
- Section 551.087 to discuss Economic Development. **No Action Taken**

12. Adjourned Work Shop and Regular Meeting **at 8:00 p.m.**


Town Secretary

Passed and Approved this 14th day of July 2016.