

# DRAFT

Minutes  
Town of Little Elm  
100 W Eldorado Parkway  
Little Elm, Texas 75068  
214-975-0404  
<http://www.littleelm.org>

## REGULAR TOWN COUNCIL MEETING TUESDAY FEBRUARY 20, 2024 - 6:00 p.m.

Present: Mayor Curtis J. Cornelious; Council Member Neil Blais; Mayor Pro Tem Jamell T. Johnson; Council Member Tony Singh; Council Member Lisa G. Norman; Council Member Andrew Evans; Council Member Michel Hambrick

Staff Present: Caitlan Biggs, Director of Administrative Services/Town Secretary; Jennette Espinosa, Executive Director; Joe Florentino, Assistant Town Manager; Matt Mueller, Town Manager; Chad Hyde, Director of Community Services; Doug Peach, Deputy Town Manager; Fred Gibbs, Director of Development Services; Jason Shroyer, Director of Public Works; Kate Graham, Assistant to the Town Manager; Kelly Wilson, Chief Financial Officer; Paul Rust, Fire Chief; Robert Brown, Town Attorney; Rodney Harrison, Police Chief; Shea Rodgers, Chief Information Officer

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

*Meeting was called to order at 6:04 p.m.*

#### A. Present and Discuss **Rewards Member Redemption Stays Tax.**

*Managing Director of Business Development and Tourism Drew Bailey gave an overview of the item. Town Council gave direction to staff to waive the tax for these stays.*

#### B. Present and Discuss the **Draft Naming and Recognition Policy.**

*Director of Administrative Services Caitlan Biggs gave an overview of the policy. Town Council gave direction to add Town Hall and the Public Safety Building as facilities that are not eligible for naming rights. This policy will be placed on the next agenda for consideration.*

### 2. Roll Call/Call to Order Regular Town Council Immediately Following Council Workshop.

#### A. Invocation.

*Council Member Neil Blais gave the invocation.*

- B. Pledge to Flags.
- C. Items to be Withdrawn from Consent Agenda.

***None.***

- D. Emergency Items if Posted.

***None.***

- E. Request by the Town Council for Items to be Placed on a Future Agenda for Discussion and Recognition of Excused Absences.

***None.***

- F. **Presentation of Monthly Updates.**

*Presentation of monthly updates from department heads: concerning law enforcement activities, municipal court, customer service, emergency medical services, fire department response, fire prevention activities, emergency management, ongoing economic development projects, building permits, code enforcement activities, library activities, human resources updates, information technology report, revenue and expenditure report, street construction status, sanitation services, highway construction status, utility operations, parks and recreation activities, as well as facility and fleet updates.*

***Town Manager Matt Mueller stated that staff is completing an emergency repair at the Wastewater Treatment Plant.***

***He also mentioned that the Big Easy is coming up the first weekend in March.***

- G. Town Council to Highlight Items on the Agenda Needing Further Discussion or Comments Prior to the Regular Session.

***None.***

### **3. Public Comments**

*Persons may address the Town Council on any issue for up to three (3) minutes. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meeting Act, the council may not comment or deliberate such statements during this period, except as authorized by Section 551.007, Texas Government Code.*

***James LAST NAME, spoke about the Town being in violation of state law regarding laws pertaining to agricultural crops.***

4. **Consent Agenda**

*All matters listed under the Consent Agenda are considered to be routine by the Town Council and require little or no deliberation. There will not be a separate discussion of these items and the agenda will be enacted by one vote. If the Council expresses a desire to discuss a matter listed, that item will be removed from the consent agenda and considered separately.*

Motion by Council Member Michel Hambrick, seconded by Council Member Lisa G. Norman **to approve the Consent Agenda.**

**Vote:** 7 - 0 - Unanimously

- A. Consider Action to Approve the **Minutes from the February 6, 2024, Regular Town Council Meeting.**
- B. Consider Action to Approve the **2024 Strategic Plan.**
- C. Consider Action to Approve a **Professional Services Agreement with Atlas Municipal Services, LLC. for Inspection and Plan Review Services for the Town, in the estimated annual amount of \$100,000, and to Authorize the Town Manager to Execute the Agreement.**
- D. Consider Action to Approve a **Master Professional Services Agreement with Ken-Ran Productions for Professional Entertainment Event Booking Services, in the estimated annual amount of \$100,000.**
- E. Consider Action to **Award Bid 2024-06 for Submersible Sewage Pump and Installation to Xylem Water Solutions, USA Inc. in the amount of \$63,500.**
- F. Consider Action to Approve **Retroactive Authorization to Repair the Leaking Air Relief Valve on the 14-inch Sewer Force Main in Valencia, with Rangeline Utilities in the amount of \$189,915.**
- G. Consider Action to Approve the **Quarterly Investment Report for the Period ending December 31, 2023.**
- H. Consider Action to Approve the **Unaudited Quarterly Budget Report for the Quarter Ending December 31, 2023.**
- I. Consider Action to Approve **Ordinance 1751 Providing for Residential, Irrigation, Wholesale, Well and Reuse, Commercial, and Hydrant Meter Water and Wastewater Fees and Rates; Providing for a Repealing Clause; Providing for a Severability Clause; and Providing an Effective Date.**
- J. Consider Action to Approve **Planning & Zoning Commissioner Appointments.**
- K. Consider Action to Approve **Board of Adjustment Term Expiration Extension.**
- L. Consider Action to Accept the **Annual Financial Report for Tax Increment Reinvestment Zone #3 (TIRZ #3) for the reporting period ending September 30, 2023.**

- M. Consider Action to Accept the **Annual Financial Report for Tax Increment Reinvestment Zone #4 (TIRZ #4) for the reporting period ending September 30, 2023.**
- N. Consider Action to Approve the **Transfer of the Remaining Balance in TIRZ #4 to the Town's General Fund.**
- O. Consider Action to Accept the **Annual Financial Report for Tax Increment Reinvestment Zone #5 (TIRZ #5) for the reporting period ending September 30, 2023.**
- P. Consider Action to Accept the **Annual Financial Report for Tax Increment Reinvestment Zone #6 (TIRZ #6) for the reporting period ending September 30, 2023.**
- Q. Consider Action to Approve the **Transfer of the Remaining Fund Balance in TIRZ #6 to the Town's General Fund.**

5. **Regular Items.**

- A. Hold a Public Hearing, Present, Discuss and Consider Action on **Ordinance No. 1750, Accepting and Approving an Updated Service and Assessment Plan and Assessment Roll – Additional Authorized Improvements for the Spiritas East Public Improvement District (PID).**

**Open Public Hearing:**

**Receive Public Comments:**

**Close Public Hearing:**

**Take Action on Ordinance No. 1750**

*Assistant Director of Economic Development Natasha Roach gave an overview of the attached item.*

**Open Public Hearing: 6:40 p.m.**

**Receive Public Comments: None**

**Close Public Hearing: 6:41 p.m.**

**Take Action on Ordinance No. 1750**

Motion by Mayor Pro Tem Jamell T. Johnson, seconded by Council Member Michel Hambrick **to approve Ordinance 1750.**

**Vote: 7 - 0 - Unanimously**

- B. Present, Discuss, and Consider Action on **Resolution No. 0220202401 Authorizing the Mayor to Approve the Additional Authorized Improvements Reimbursement Agreement and the Additional Authorized Improvements Landowner Agreement between the Town of Little Elm and MM Little Elm 43, LLC.**

Motion by Council Member Neil Blais, seconded by Council Member Michel Hambrick **to approve Resolution No. 0220202401.**

**Vote: 7 - 0 - Unanimously**

- C. Hold a Public Hearing, Present, Discuss, and Consider Action on **Ordinance No. 1752 Regarding a Request to Rezone Approximately 4.9 Acres of Land, Currently Zoned Lakefront District, Generally Located North of the Intersection of Main Street and East Park Drive, within Little Elm's Town Limits, in Order to Establish a New Planned Development District, Based on Lakefront District Standards, Creating a Regulating Plan Providing a Conceptual Framework for Redevelopment of this Area.**

**Open Public Hearing:**

**Receive Public Comments:**

**Close Public Hearing:**

**Take Action on Ordinance No. 1752:**

***Managing Director of Planning Olga Chernomorets gave an overview of the item in the attached presentation.***

**Open Public Hearing: 7:04 p.m.**

**Receive Public Comments:** Jeffrey Peters, 401 E Park St, Little Elm, TX 75068 spoke in opposition of the item. Ryan O'Neil, 316 E Park St., Little Elm, TX 75068 spoke in opposition of the item.

**Close Public Hearing: 7:18 p.m.**

**Take Action on Ordinance No. 1752:**

Motion by Council Member Neil Blais, seconded by Council Member Michel Hambrick **to approve Ordinance No. 1752.**

**Vote: 7 - 0 - Unanimously**

**6. Convene in Executive Session pursuant to Texas Government Code:**

- Section 551.071 for private consultation with the Town Attorney to discuss the COVID-19 pandemic and municipal authority to respond to the COVID-19 outbreak and 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 551.074 of the Texas Government Code to discuss and deliberate personal matters to evaluate performance duties, of a public officer or employee(s).
- Section 551.076 to discuss security matters.
- Section 551.087 to discuss Economic Development.

***Town Council convened into Executive Session at 7:31 p.m.***

**7. Reconvene into Open Session**

Discussion and consideration to take any action necessary as the result of the Executive Session:

- COVID-19 Pandemic and the Town's response thereto, including the consideration of an emergency declaration ordinance.
- Section 551.071 for private consultation with the Town Attorney to discuss the COVID-19 pandemic and municipal authority to respond to the COVID-19 outbreak and 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 551.074 of the Texas Government Code to discuss and deliberate personal matters to evaluate performance duties, of a public officer or employee(s).
- Section 551.076 to discuss security matters.
- Section 551.087 to discuss Economic Development.

***Town Council reconvened into Open Session at 8:03 p.m. No action was taken.***

**8. Adjourn.**

***Meeting was adjourned at 8:03 p.m.***

Respectfully,

**Caitlan Biggs**

Town Secretary

Passed and Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2024.