

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 NOVEMBER 19, 2024 - 6:00 p.m.

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

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; Fred Gibbs, Director of Development Services; Jason Shroyer, Director of Public Works; 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.

The meeting was called to order at 6:01 p.m.

A. Discuss the Mayor's Math Challenge Budget.

The Mayor requested an additional \$4,500 to be added to this budget. Council gave direction to transfer from the Council contingency line item.

B. Present and Discuss Themes for the 2024 Council Christmas Card.

Staff presented options for the Council's Christmas card. Council gave direction for staff to use the main character card theme.

C. Present and Discuss the Parks, Recreation, & Open Space Master Plan Final Draft.

Elizabeth with Dunaway gave an overview of the item in the attached presentation.

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

A. Invocation.

Mayor Pro Tem Jamell Johnson 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- C. Items to be Withdrawn from Consent Agenda.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.

- ***Assistant Police Chief Mandy Biter gave an update on community outreach efforts***
- ***Development Services Director Fred Gibbs gave an update on the small area plan studies and land development code update***
- ***Chief Financial Officer Kelly Wilson gave an update on the town's investments***
- ***Mayor Pro Tem Jamell Johnson thanked the Veterans Committee and staff for a successful 2nd Annual Veterans Banquet***

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

None.

- ***Council Member Tony Singh thanked the Little Elm Police Department for assisting one of our residents with a complicated matter***
- ***Council Member Michel Hambrick requested a revision to item 3C to remove the name of an employee in the staff contact who is no longer with the Town.***

- 3. **Presentations.**

- A. Present a **Life-Saving Award** to Curtis Weems and Sean Cunningham.

Chief Harrison presented the awards.

- B. Present a **Good Samaritan Award to Grant Hubbert.**

Chief Harrison presented the award.

- C. Present **Certificates of Completion for Class 9 of Citizens Government Academy.**

The Mayor and Town Manager Matt Mueller presented the graduates with their certificates and challenge coins.

- D. Present a **Proclamation Declaring November 2024 as Adoption Month.**

The Mayor presented the proclamation.

- E. Present a **Proclamation Recognizing the 2024 Holiday Season as "The Salvation Army, Leading the Fight for Good".**

The Mayor presented the proclamation.

- F. Present a **Recognition for the Planning Department for Receiving the 2024 Richard R. Lillie Planning Excellence Recognition.**

The Mayor presented the recognition.

4. 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.

- **Chris Marks, 7000 Dragon Fly Lane, Little Elm, TX 76227 - Introduction of Alpha Phi Alpha Fraternity, Inc.**
- **Rob Altman, 3472 Delford Dr, Frisco, TX 75033 - DCAD nomination**

5. 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 Ken Eaken, seconded by Deputy Mayor Pro Tem Tony Singh **to approve the Consent Agenda.**

Vote: 7 - 0 - Unanimously

- A. Consider Action to Approve the **Minutes from the October 15, 2024, Regular Town Council Meeting.**
- B. Consider Action to Approve the **Quarterly Investment Report for the Period ending September 30, 2024.**
- C. Consider Action to Approve an **Amended and Restated Interlocal Agreement for Fire, Rescue, and Emergency Medical Services to the Town of Lakewood Village.**
- D. Consider Action to Approve an **Agreement with N.G. Painting, LLC., to Perform Coating and Construction Services for the Town's Five-Million-Gallon Water Ground Storage Tank Located at the Mansell Pump Station in the Amount of \$389,500.**
- E. Consider Action to **Reallocate Funds and Authorize the Purchase of Replacement Furniture at the Library through Library Interiors of Texas, LLC, in the amount of \$52,855.36.**
- F. Consider Action to Approve the **Unaudited Quarterly Budget to Actual Report for the Quarter Ending September 30, 2024.**
- G. Consider Action to Approve **Ordinance No. 1788 Amending the Town of Little Elm's Employee Manual.**
- H. Consider Action to Approve the **Appointment of Council Member Ken Eaken as the Planning and Zoning Commission Liaison.**
- I. Consider Action to Approve a **Professional Services Agreement with IXP Corporation for a Business Case Analysis of Little Elm Emergency and Non-Emergency Communications Center, in the amount of \$50,000.**
- J. Consider Action to Approve **Resolution No. 119202401 for the Acceptance of the Donation of a Community Policing Truck.**
- K. Consider Action to Approve an **Amendment to the Town of Little Elm's Vehicle and Equipment Replacement Policy.**
- L. Consider Action to Amend a **Fire Code Compliance Phasing Agreement, originally executed on December 15, 2011, to Clarify the Fire Code Requirements for the Future Expansion of the Marina.**
- M. Consider Action to Approve a **Two (2) Year Interlocal Agreement with the City of Denton for Landfill Disposal Services for Municipal Solid Waste Disposed of at the Town's Courtesy Drop Site in an Estimated Annual Amount of \$80,000.**
- N. Consider Action to Approve a **Purchase Order with Durable Specialties, Inc. for Traffic Signal Equipment Required for the Main Street Traffic Signal Project.**

- O. Consider Action to Award **Bid 2025-02 for Improvements at Cottonwood Sports Complex to Pace Construction Services in the Amount of \$490,800.**
- P. Consider Action to Approve a **Development Agreement Associated with the Lakefront Residential Overlay District, between the Town of Little Elm and Drusilla and James Kitchen, Property Owners of 108 Black Circle.**
- Q. Present, Discuss, and Consider Action on a **Development Agreement between the Town of Little Elm and MM Little Elm 43, LLC.**

6. Regular Items.

- A. Present, Discuss, and Consider Action on **Resolution No. 1119202403 Casting Votes for Candidates in the Election of the Denton County Central Appraisal District Board of Directors.**

Motion by Council Member Michel Hambrick, seconded by Council Member Ken Eaken *to approve Resolution 1119202403 to cast 70 votes for Rob Altman and 10 votes Sandeep Sharma for the Denton Central Appraisal District Board of Directors.*

Vote: 7 - 0 - Unanimously

- B. Hold a Public Hearing, Present, Discuss, and Consider Action on **Ordinance No. 1786 Regarding a Request for a Special Use Permit (SUP) for a Child Care Facility, not to Exceed 9,820 Square Feet, on Approximately 4.159 Acres of Land, Currently Zoned as a Planned Development based on Lakefront (PD-LF) District Standards, through Ordinance No. 1711, Generally Located 500 feet West of the Intersection of East Eldorado Parkway and Hillside Drive, within Little Elm's Town Limits, in Order to Establish a Child Care Program within the Existing Snowy Care Facility.**
 - Continue Public Hearing:
 - Receive Public Comments:
 - Close Public Hearing:
 - Take Action on Ordinance No. 1786:

Motion by Council Member Lisa G. Norman, seconded by Mayor Pro Tem Jamell T. Johnson *to postpone this hearing until the December 17, 2024, meeting.*

Vote: 7 - 0 - Unanimously

- C. Hold a Public Hearing, Present, Discuss, and Consider Action on **Ordinance No. 1787 Regarding a Request to Rezone Approximately 5.12 acres of Land, Currently Zoned as a Planned Development based on Mixed Use (PD-MU) Standards, through Ordinance No. 1559, Generally Located 400 feet North of the Intersection of Navo Road and Union Park Blvd, within Little Elm's Town Limits, in Order to Amend the Existing Development Standards to Allow for the Development of a 198 unit Age-restricted Multi-family Community.**
 - Continue Public Hearing:
 - Receive Public Comments:
 - Close Public Hearing:
 - Take Action on Ordinance No. 1787:

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

- ***Open Public Hearing: 7:49 p.m.***
- ***Receive Public Comments:***
- ***Close Public Hearing: 7:50 p.m.***

Motion by Council Member Andrew Evans, seconded by Council Member Ken Eaken ***to approve Ordinance No.1787 with the conditions recommended by Planning & Zoning.***

Vote: 7 - 0 - Unanimously

- D. Present, Discuss, and Consider Action on a **Development Agreement between the Town of Little Elm, Hillwood Communities, and THF Huntington Place Senior Living Little Elm, LP.**

Motion by Council Member Michel Hambrick, seconded by Council Member Andrew Evans ***to approve the development agreement.***

Vote: 7 - 0 - Unanimously

- E. Consider Action to Approve **Resolution No. 1119202402 Authorizing The Texas Housing Foundation To Exercise Its Powers Within The Territorial Boundaries Of The Town Of Little Elm, Texas; And Authorizing A Cooperation Agreement.**

Motion by Council Member Ken Eaken, seconded by Council Member Andrew Evans ***to approve Resolution No. 1119202402.***

Vote: 7 - 0 - Unanimously

- F. Hold a Public Hearing, Present, Discuss, and Consider Action on **Ordinance No. 1789 Regarding a Request to Rezone Approximately 1.89 Acres of Land, Currently Zoned as Light Commercial (LC) District, Generally Located at the Southeast Corner of the Intersection of Little Elm Parkway and East Eldorado Parkway, within Little Elm's Town Limits, In Order to Establish a New Planned Development Based on Light Commercial (LC) District Standards, with Modified Development Standards In Order to Allow for a New Commercial Development, with a Standalone Quick Service Restaurant with a Drive-Thru Component.**

- **Open Public Hearing:**
- **Receive Public Comments:**
- **Close Public Hearing:**
- **Take Action on Ordinance No. 1789:**

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

- ***Open Public Hearing: 8:04 p.m.***
- ***Receive Public Comments: None***
- ***Close Public Hearing: 8:05 p.m.***

Motion by Council Member Ken Eaken, seconded by Council Member Andrew Evans ***to approve Ordinance No. 1789.***

Vote: 3 - 4

Motion failed.

- G. Present, Discuss, and Consider Action on a **Development Agreement between the Town of Little Elm and Hudson Elm Development LLC.**

No action was taken on this item due to the motion failing in item 6F.

- H. Hold a Public Hearing, Present, Discuss, and Consider Action on **Ordinance No. 1790 Regarding a Request for a Special Use Permit (SUP) for a 228 Square Foot Storage Tank to be Located Behind a Building, Generally Located within Rosebriar Marketplace, Approximately 700 Feet North of the Intersection of Little Elm Parkway and FM 423, within Little Elm's Town Limits.**
- **Open Public Hearing:**
 - **Receive Public Comments:**
 - **Close Public Hearing:**
 - **Take Action on Ordinance No. 1790:**

Senior Planner Brian Salvesen gave an overview of the item in the attached presentation.

- ***Open Public Hearing: 8:12 p.m.***
- ***Receive Public Comments: None***
- ***Close Public Hearing: 8:13 p.m.***

Motion by Council Member Michel Hambrick, seconded by Deputy Mayor Pro Tem Tony Singh ***to approve Ordinance No. 1790 with the conditions recommended by Planning & Zoning.***

Vote: 7 - 0 - Unanimously

- I. Hold a Public Hearing, Present, Discuss, and Consider Action on **Ordinance No. 1791 Regarding a Request for a Specific Use Permit (SUP) for a 3,040 Square Foot Liquor Store, Generally Located in Building 200, 11700 FM 423, Currently Zoned Planned Development with a Light Commercial Base Through Ordinance No. 1691, in order to Allow for Sale of Alcoholic Beverages for Off-Site Consumption Only.**
- **Open Public Hearing:**
 - **Receive Public Comments:**
 - **Close Public Hearing:**
 - **Take Action on Ordinance No. 1791:**

Senior Planner Brian Salvesen gave an overview of the item in the attached presentation.

- ***Open Public Hearing: 8:18 p.m.***
- ***Receive Public Comments: None***
- ***Close Public Hearing: 8:19 p.m.***

Motion by Mayor Pro Tem Jamell T. Johnson, seconded by Council Member Lisa G. Norman ***to approve Ordinance No. 1791 with the conditions recommended by Planning & Zoning.***

Vote: 7 - 0 - Unanimously

7. Convene in Executive Session 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 551.074 of the Texas Government Code to discuss and deliberate personal matters to evaluate performance duties, of a public officer or employee(s).
 - Municipal Judge
- Section 551.076 to discuss security matters.
- Section 551.087 to discuss Economic Development.

Council convened into Executive Session at 8:19 p.m.

8. Reconvene into Open Session

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.
- 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).
 - Municipal Judge
- Section 551.076 to discuss security matters.
- Section 551.087 to discuss Economic Development.

Council reconvened into Open Session at 8:52 p.m. No action taken.

9. Adjourn.

Meeting was adjourned at 8:52 p.m.

Respectfully,

Caitlan Biggs
Town Secretary

Passed and Approved this 3rd day of December 2024.