

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

WORKSHOP, PUBLIC HEARING AND REGULAR TOWN COUNCIL MEETING
Tuesday January 17, 2017

Present: David Hillock Mayor, Michael McClellan Mayor Pro-tem, Council members James Dominy, Neil Blais, Nick Musteen, and Stephanie Shoemaker. **Absent:** Chip Norman. **Staff:** Robert Brown, Matt Mueller, Doug Peach, Kathy Phillips, Karla Stovall, Jason Laumer, Jennette Killingsworth, and Kevin Mattingly.

1. Call to Order Council Work Shop. *No Workshop was conducted.*
 - a. Items to be withdrawn from Consent Agenda.
 - b. Emergency Items if posted.
 - c. Request by the Town Council for items to be placed on a future agenda for discussion, and recognition of excused absences.
 - d. Continued discussion on draft fireworks ordinance.
 - e. Discussion and Council direction regarding Service Organization Sign Resolution and Policy.
 - f. Discussion regarding appointments to the Capital Improvements Advisory Committee (CIAC).
 - g. Presentation of monthly updates from department heads.
 - h. Council to highlight items on the agenda needing further discussion or comments prior to the regular session.

2. **Roll Call/Call to Order** Regular Town Council Meeting *at 6:00 p.m.*

Invocation by Fire Department Chaplain Jeremy Mikeska.

3. Pledge to the Flags:
 - a. United States Flag
 - b. Texas Flag

4. **ANNOUNCEMENT: Council will now recess and convene into meeting of the TIRZ #4 Board. Will reconvene regular meeting immediately following adjournment of the TIRZ #4 Board.** Upon motion by Council member Blais and second by Council member McClellan the members *voted 6-0 to Table* this item until the next scheduled meeting.

5. Public Comments: *None*

6. Upon motion by Council member McClellan and second by Council member Musteen the members *voted 5-1* (Council member Blais abstained due to potential conflict of interest on item 6-e) and to approve the consent agenda as presented.
 - a. Minutes of the December 20, 2016 Workshop, Public Hearings and Regular Meeting.
 - b. Final Acceptance of Villa Paloma Road/Navo Road and authorization to release retainage funds.
 - c. Resolution No. 01171709 a Resolution of the Town Council of the Town of Little Elm, Texas approving certain Tax Increment Reinvestment Zone Number Four Project Expenditures; providing a severability clause; and providing an effective date.
 - d. Final Plat 380 Navo Retail Development 2 from Cole Engineering, generally located on the north side of US 380 and west of Navo Road, within Little Elm's town limits.
 - e. Resolution No. 01171701 a Resolution by the Town of Little Elm approving the application for Grant Funds for the Bureau of Reclamation's Watersmart Grants: Water Energy Efficiency Grants for Fiscal Year 2017 for the Town's Water Meter Conversion Project.
 - f. Authorize contract with A&M Maintenance Services, Inc. to replace various pavement markings in an amount not to exceed \$52,361.98 and to authorize Town Manager to execute the agreement.

7. Continue Public Hearing to consider proposed assessments to be levied against property within the Rudman Tract Public Improvement District pursuant to the provisions of Chapter 372 of the Texas Local Government Code, as amended. Upon motion by Council member Blais and second by Council member McClellan the members *voted 6-0* to table this item until the next scheduled meeting.
 - a. Staff Report:
 - b. Continued Public Hearing.
 - c. Receive Public Comments.
 - d. Close Public Hearing.

 - e. **Discussion and Action** to adopt Ordinance No. 1359 an Ordinance of the Town Council of the Town of Little Elm, Texas accepting and approving a Service and Assessment Plan and Assessment Rolls for the Rudman Tract Public Improvement District; making a finding of special benefit to property within the district; levying special assessments against property within the district and establishing a lien on such property; providing for payment of the assessment in accordance with Chapter 372, Texas Government Code, as amended; providing for the method of assessment and the payment of the assessments, providing for penalties and interest on delinquent assessments, providing for severability, and providing an effective date.

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

- a. Upon motion by Council member McClellan and second by Council member Shoemaker the members ***voted 6-0 to Table*** until the next scheduled meeting to adopt Resolution No. 01171702 a Resolution of the Town of Little Elm, Texas, approving the Rudman Tract Public Improvement District Phase #1 Improvements Reimbursement Agreement with OPLE Prairie Oaks Development, Inc.; authorizing and directing the Mayor of the Town to execute the Rudman Tract Public Improvement District Phase #1 Improvements Reimbursement Agreement; and providing for an effective date.
- b. Upon motion by Council member McClellan and second by Council member Shoemaker the members ***voted 6-0 to Table*** until the next scheduled meeting to adopt Resolution No. 01171703 a Resolution of the Town of Little Elm, Texas approving the Rudman Tract Public Improvement District Phase #2 Major Improvements Reimbursement Agreement with OPLE Prairie Oaks Development, Inc.; authorizing and directing the Mayor of the Town to execute the Rudman Tract Public Improvement District Phase #2 Major Improvements Reimbursement Agreement; and providing an effective date.
- c. Upon motion by Council member McClellan and second by Council member Shoemaker the members ***voted 6-0 to Table*** until the next scheduled meeting to adopt Resolution No. 01171704 a Resolution of the Town of Little Elm, Texas approving the Phase #1 Improvement Construction, Funding, and Acquisition with OPLE Prairie Oaks Development, Inc., authorizing and directing the Mayor of the Town to execute the Phase #1 Improvements Construction, Funding, and Acquisition; and providing an effective date.
- d. Upon motion by Council member McClellan and second by Council member Shoemaker the members ***voted 6-0 to Table*** until the next scheduled meeting to adopt Resolution No. 01171707 a Resolution of the Town of Little Elm, Texas approving the Phase #2 Major Improvements Construction, Funding, and Acquisition with OPLE Prairie Oaks Development, Inc., authorizing and directing the Mayor of the Town to execute the Phase #2 Major Improvements Construction, Funding, and Acquisition; and providing an effective date.
- e. Upon motion by Council member McClellan and second by Council member Shoemaker the members ***voted 6-0 to Table*** until the next scheduled meeting to adopt Resolution No. 01171705 a Resolution of the Town of Little Elm, Texas authorizing the execution of a Consent Letter relating to the Issuance of Certain Bonds by the Public Finance Authority; and containing other matters related thereto.

- f. Upon motion by Council member McClellan and second by Council member Shoemaker the members **voted 6-0 to Table** until the next scheduled meeting to adopt Ordinance No. 1356 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, as amended, by issuing a Specific Use Permit for Outdoor Amusement Park Use on approximately 2.28 acres of land currently zoned Light Commercial District (LC); generally located south of Eldorado Parkway and west of Hillside Drive, providing that this Specific Use Permit is established subject to certain conditions as set forth herein; providing a savings clause; correcting the official zoning map; providing a penalty; providing a severability clause; providing a repealer clause; and providing for an effective date.
 - g. Upon motion by Council member Blais and second by Council member Dominy the members **voted 6-0** to adopt Ordinance No. 1373 an Ordinance authorizing the issuance of “Town of Little Elm, Texas General Obligation Refunding Bonds, Series 2017,” specifying the terms and features of said bonds; levying a continuing direct annual ad valorem tax for payment of said bonds; and resolving other matters incident and related to the issuance, sale, payment, and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and Escrow Agreement, and the approval and distribution of an Official Statement pertaining thereto; and providing an effective date.
 - h. Upon motion by Council member McClellan and second by Council member Blais the members **voted 6-0** to adopt Ordinance No. 1374 an Ordinance authorizing the issuance of “Town of Little Elm, Texas, Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2017”, providing for the payment of said certificates of obligation by the levy of an ad valorem tax upon all taxable property within the Town and a limited pledge of the net revenues derived from the operation of the Town’s Waterworks and Sewer System; providing the terms and conditions of such certificates and resolving other matters incident and relating to the issuance, payment, security, sale and delivery of said certificates; including the approval and execution of a Paying Agent/Registrar Agreement; the approval and distribution of a Preliminary Official Statement and Official Statement; and providing an effective date.
9. FYI: (All matters are provided to the Town Council for informational purposes only)
- a. Town Secretary Monthly Report for December 2016.
 - b. Development Services Monthly Report for December 2016.
 - c. Public Works Monthly Report for December 2016.
 - d. Police Department Monthly Reports for December 2016.
 - e. Parks, Recreation and Library Monthly Reports for December 2016.

NO EXECUTIVE CLOSED SESSION WAS HELD

10. Council to convene into Executive Session pursuant to Texas Government Code:

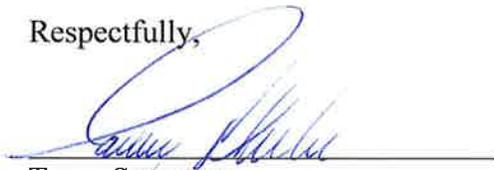
- Section 551.071 for private consultation with the Town Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the Town Attorney has a duty under the Texas Rules of Discipline and Professional conduct regarding confidential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

11. 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 551.076 to discuss security matters.
- Section 551.087 to discuss Economic Development.

12. Adjourned Work Shop and Regular Meeting *at 6:06 p.m.*

Respectfully,



Town Secretary

Passed and Approved this 7th day of February, 2017.