



## **CITY COUNCIL WORKSHOP AND REGULAR SESSION - MINUTES**

**Thursday, October 19, 2023 at 5:45 PM**

**City Hall | 3300 Corinth Parkway**

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### **STATE OF TEXAS COUNTY OF DENTON CITY OF CORINTH**

On this, the 19th day of October 2023, the City Council of the City of Corinth, Texas, met at Corinth City Hall at 5:45 P.M., located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place, and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

#### **Council Members Present:**

Bill Heidemann, Mayor  
Sam Burke, Mayor Pro Tem  
Scott Garber, Council Member  
Steve Holzwarth, Council Member  
Tina Henderson, Council Member  
Kelly Pickens, Council Member

#### **Staff Members Present:**

Scott Campbell, City Manager  
Lana Wylie, City Secretary  
Patricia Adams, City Attorney  
Jerry Garner, Police Chief  
Robert Lambert, Battalion Chief  
Glenn Barker, Director of Public Works  
Melissa Dailey, Development Services Director  
Michelle Mixell, Planning Manager  
Miguel Inclan, Planner  
Brenton Copeland, Chief Technology Officer  
Justin Horr, Technology Services Specialist III  
Presley Sequeira, Technology Services Project Manager  
Lance Stacy, City Marshal

### **CALL TO ORDER**

Mayor Heidemann called the Workshop Session to order at 5:45 P.M.

### **WORKSHOP AGENDA**

1. Discuss Strategic Planning Process/Timing.

The item was tabled to a future meeting.

2. Receive a presentation, hold a discussion, and give staff recommendations on the direction of the Parks and Recreation projects.

The item was presented and discussed.

3. Discuss items on the Regular Session Agenda, including the consideration of Executive Session items.

No items for the Regular Session Meeting were discussed.

## **ADJOURN WORKSHOP**

Mayor Heidemann adjourned the Workshop Session at 5:55 P.M. and immediately convened into Executive Session.

## **EXECUTIVE SESSION\*\***

In accordance with Chapter 551, Texas Government Code, Section 551.001, et seq., (the "Texas Open Meetings Act"), the City Council will recess into Executive Session (closed meeting) to discuss the following items. Any necessary final action or vote will be taken in public by the City Council in accordance with this agenda.

**Section 551.071 - Legal Advice.** (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflict with Chapter 551.

**Section 551.072 - Real Estate.** To deliberate the purchase, exchange, lease, or value of real property if deliberations in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- a. Real property in the 1200 block of North Corinth Street.

**Section 551.087 - Economic Development.** To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business project.

- a. Realty Capital First Economic Development Agreement.

## **RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON EXECUTIVE SESSION ITEMS**

Mayor Heidemann recessed the Executive Session at 6:17 P.M. No action was taken at that time. The following motion was made after Item 17 of the Business Agenda.

Motion made by Mayor Pro Tem Burke to authorize the City Manager to proceed as discussed in Executive Session with the property on North Corinth Street. Seconded by Council Member Henderson.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

## **CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE**

Mayor Heidemann called the Regular Session Meeting to order at 6:30 P.M.

## **CITIZENS COMMENTS**

Please limit your comments to three minutes. Comments about any of the Council agenda items are appreciated by the Council and may be taken into consideration at this time or during that agenda item. Council is prohibited from acting on or discussing items brought before them at this time.

Sandra and Bob Canuteson - 2803 Silver Meadow Lane  
Betty A Grise - 2806 Silvermeadow Lane

## **CONSENT AGENDA**

All matters listed under the consent agenda are considered to be routine and will be enacted in one motion. Should the Mayor or a Council Member desire discussion of any item, that item will be removed from the Consent Agenda and will be considered separately.

1. Consider and act on minutes from the September 21, 2023, City Council Meeting.
2. Consider and act on the renewal of the Local Agreement between Denton County and the City of Corinth, on behalf of the Police Department, respecting forfeited contraband.
3. Consider and act on an Interlocal Agreement between Denton County and the City of Corinth, on behalf of the Police Department, for use of Denton County's radio communications system, Tier 3, for fiscal year 2023-2024, in an amount not to exceed \$7,056.00.
4. Consider and act on an Interlocal Agreement between Denton County and the City of Corinth on behalf of the Lake Cities Fire Department (LCFD) for use of Denton County's radio communications system, Tier 3, for fiscal year 2023-2024, in an amount not to exceed \$7,776.00.
5. Consider and act on an Interlocal Agreement between Denton County and the City of Corinth Public Works Department for use of Denton County's radio communications system, Tier 1, for fiscal year 2023-2024, in an amount not to exceed \$2,496.00.
6. Consider and act on a renewal of the Interlocal Cooperation Agreement for Animal Shelter Services with the Town of Hickory Creek.
7. Consider and act on a one-year contract, with two additional one-year renewal options, with Floyd Smith Concrete for concrete products and services, through the City of Denton Contract #7777, in an amount not to exceed \$800,000 for the initial term of the contract and authorize the City Manager to execute the necessary documents and renewal options.
8. Consider and act on a Microsoft Enterprise Enrollment Agreement between the City of Corinth and SHI Government.

Motion made by Council Member Garber: move to approve. Seconded by Mayor Pro Tem Burke.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

## **PUBLIC HEARING**

9. Conduct a Public Hearing to consider testimony and act on a rezoning request by Ridinger Associates to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code of the City, from SF-2 Single Family Residential to SF-3 Single Family Residential, on approximately ±14.2 acres generally located east of Post Oak Drive, north of the Terrace Oaks Subdivision, and south of the Provence Subdivision. (Case No. ZMA23-0002 – SF-2 to SF-3)

Council Member Holzwarth recused himself from this item.

The item was presented by staff and the developer.

Mayor Heidemann opened the Public Hearing at 6:50 P.M. The following residents spoke:

Sterling Sacks - 1713 Birch Lane

Alanna Fickes - 2712 Cherokee Trail

Mike King - 2610 Zachary

Marilyn K. Hale - 1704 North Haven Drive

Jerry Hale - 1704 North Haven Drive - Did not wish to speak - Opposed to the development.

Austin Ortega - 2801 Custer Drive

Mayor Heidemann closed the Public Hearing at 7:01 P.M.

Motion made by Council Member Garber to deny with discussion. Seconded by Mayor Pro Tem Burke.

Discussion followed by Council Member Garber and Mayor Pro Tem Burke.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Pickens

Voting Nay: Council Member Henderson

Voting Abstaining: Council Member Holzwarth

10. Conduct a Public Hearing to consider and act on an amendment to the City of Corinth's Impact Fees for Water, Wastewater, and Roadway Capital Improvements.

The item was presented by staff and the representatives from Kimley Horn.

Mayor Heidemann opened the Public Hearing at 7:19 P.M. and closed it at 7:23 P.M.

Reginald Ridinger, the developer from Item 9 addressed the City Council about Item 9.

Motion made by Mayor Pro Tem Burke move to approve. Seconded by Council Member Garber.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

## **BUSINESS AGENDA**

11. Consider and act on the appointment of Chair and Vice Chair of the Planning & Zoning Commission.

Motion made by Council Member Garber to approve. Seconded by Council Member Henderson.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

12. Consider and act on assigning 1<sup>st</sup> and 2<sup>nd</sup> Alternates for the Planning & Zoning Commission.

Motion made by Council Member Henderson to approve as presented. Seconded by Council Member Pickens.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

13. Consider and act on an Interlocal Agreement between the City of Corinth, on behalf of the Police Department, and the Lake Dallas Independent School District (LDISD) to provide a school resource officer at Corinth Elementary School and Shady Shores Elementary School; and authorizing the City Manager to execute the necessary documents.

Motion made by Council Member Garber to approve. Seconded by Council Member Henderson.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

14. Consider and take appropriate action on an Ordinance amending Chapter 170, "Planning, Engineering, and Building Fees", by amending fees for "Zoning and Site Plans," "Platting", "Commercial Construction", "Residential Construction", "Electric 2 Plumbing and Mechanical", "Miscellaneous Processes," "Health Inspections", "Other Inspections and Fees", "Appeals/Variance Processes" of title xvi, "Fee Schedule" of the code of ordinances of the City of Corinth, Texas and repealing section 150.37, "Inspection fees charged to contractors/developers", subsection 150.106(b) "Fees", and subsection 150.202(c), "Certificate of Occupancy" of Chapter 150, "Building Regulations" of title xv, "Land Usage"; and providing an effective date.

Motion made by Council Member Garber to approve. Seconded by Council Member Pickens.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

15. Consider and act on the Amended and Restated Chapter 380 Economic Development Agreement with RAK Real Estate Equities – Corinth, LLC,

Motion made by Council Member Garber to approve. Seconded by Mayor Pro Tem Burke.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

16. Consider and act upon an Alternative Compliance-Tree Preservation request by the Applicant/Property Owner, RAK Real Estate Equities-Corinth, LLC., to exclude Healthy Protected Trees removed from the proposed building footprint from the tree mitigation calculations in consideration of furthering economic development and promoting the principles of the Comprehensive Plan on approximately  $\pm$  6.3 acres located at the southwest corner of W. Shady Shores Road and N. Corinth Street. Case No. AC23-0001-RAK Tree Preservation Building Footprint Exclusion - Alternative Compliance

Motion made by Council Member Garber to approve the Alternative Compliance Request and direct staff to prepare the agreement for future approval by the City Council. Seconded by Mayor Pro Tem Burke.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

17. Consider and act on the Architectural Standards component of the Site Plan for the development of approximately  $\pm$  13 acres located at the southwest corner of Corinth Parkway and the I-35E service road, consisting of 312 multifamily units, limited ground floor retail, and related amenities. Applicant: Tate Braun, on behalf of the property owner, RCM Corinth Land, LLC. Case No. SPC23-0001: Parkway Lofts

Motion made by Mayor Pro Tem Burke: I move to approve the revised elevations as presented in Attachment 1 with the condition that the elevations be changed to match the renderings to the extent of any conflict. Seconded by Council Member Garber.



Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

### **COUNCIL COMMENTS & FUTURE AGENDA ITEMS**

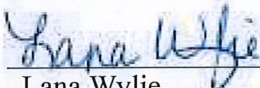
The purpose of this section is to allow each Council Member the opportunity to provide general updates and/or comments to fellow Council Members, the public, and/or staff on any issues or future events. Also, in accordance with Section 30.085 of the Code of Ordinances, at this time, any Council Member may direct that an item be added as a business item to any future agenda.

Council Member Burke  
Council Member Holzwarth  
Council Member Pickens  
Mayor Heidemann

### **ADJOURN**

Mayor Heidemann adjourned the Regular Session Meeting at 8:12 P.M.

Approved by the Council on the 7th day of December 2023.

  
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Lana Wylie  
City Secretary  
City of Corinth, Texas