



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

**Thursday, March 07, 2024 at 5:45 PM**

**City Hall | 3300 Corinth Parkway**

**View Live Stream: <https://www.cityofcorinth.com/city-council/page/city-council-workshop-and-regular-session-85>**

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

On this, the 7th day of March 2024, 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  
Melissa Dailey, Director of Development Services  
Michelle Mixell, Planning Manager  
Miguel Inclan, Planner  
Emma Crotty, Economic Development Coordinator & Management Assistant  
Tristan Cisco, Engineering Project Manager  
Brenton Copeland, Chief Technology Officer  
Presley Sequeira, Technology Services Project Manager  
Lance Stacy, City Marshal

### **CALL TO ORDER**

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

### **WORKSHOP AGENDA**

1. Interview a candidate for placement on the Keep Corinth Beautiful/Parks Board and discussion of same.

The City Council interviewed the applicant.

2. Receive a report, hold a discussion, and provide staff direction on the 2024 Community Events Program.

The item was tabled to the March 21, 2024 City Council meeting.

3. Provide a presentation and conduct an informal discussion on proposed text amendments for MX-C Mixed-Use Commercial Zoning District, Section 2.06.02 of the Unified Development Code.

The item was presented and discussed.

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

Items 4 and 6 were discussed.

## **ADJOURN WORKSHOP**

Mayor Heidemann adjourned the Workshop Session at 6:28 P.M.

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

Mayor Heidemann called the Regular Session Meeting to order at 6:38 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.

Katherine Clark - 1510 Pecan Valley Court, Corinth

## **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 February 15, 2024, City Council Meeting.
2. Consider and act on the Texas Department of Public Safety Interlocal Contract for Failure to Appear Program.
3. Consider and act on a Professional Engineering Services Agreement with Birkhoff, Hendricks, & Carter LLP for the design of the Lift Station 3A parallel force main defined by the City of Corinth's Impact Fee Plan, in an amount not to exceed \$167,700, and authorize the City Manager to execute the necessary documents.

Motion made by Council Member Garber to approve the Consent Agenda as presented. Seconded by Council Member Henderson.

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

## **PUBLIC HEARING**

4. Conduct a Public Hearing to consider testimony and act on an ordinance for a request to amend Section 1, "Provisions and Procedures," and Section 3, "Subdivision Regulations," of the City's Unified Development Code to 1) allow for the administrative approval of certain plat applications by the Director of Planning & Development, 2) allow for Applicants to request multiple 30-day extensions of the time for plat approval, and 3) remove requirement for a new application and new application fee should a plat application be disapproved. (Case No. ZTA24-0002 UDC Platting Amendments)

The item was not presented. Staff recommended continuing the Public Hearing to the April 4, 2024 City Council Meeting.

Motion made by Mayor Pro Tem Burke - I move to continue the public hearing and table action on the request to the April 4, 2024 City Council meeting. Seconded by Council Member Pickens.

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

5. Conduct a Public Hearing to consider testimony and act on an ordinance for a rezoning request by the Applicant, Mycoskie & Associates, Inc. and to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, by amending the Permitted Uses and Use Regulations of Planned Development No. 67 (PD-67) to incorporate certain non-residential uses fronting along Corinth Parkway on approximately ±6.5 acres generally located southwest of the intersection of Corinth Parkway and Shady Rest Lane. (Case No. ZAPD24-0001 – PD-67 Amendment)

The item was presented and discussed.

Mayor Heidemann opened the Public Hearing at 6:50 P.M. and closed it at 6:50 P.M.

No comments were made.

Motion made by Mayor Pro Tem Burke - I move to approve Case No. ZAPD24-0001 – Bridgeview Major PD Amendment, as presented and approve an ordinance amending the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, by amending the Permitted Uses and Use Regulations of Planned Development No. 67 (PD-67) to incorporate certain non-residential uses fronting along Corinth Parkway on approximately ±6.5 acres generally located southwest of the intersection of Corinth Parkway and Shady Rest Lane. Seconded by Council Member Garber.

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

6. Conduct a Public Hearing to consider and act on an ordinance for City initiated text amendments to Section 2.06.02. – MX-C, Mixed Use Commercial of the City of Corinth Unified Development Code. (Case No. ZTA24-0003 – MX-C Zoning Amendments)

Motion made by Mayor Pro Tem Burke to table action on the request to the April 4, 2024 City Council meeting. Seconded by Council Member Pickens.

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

## **BUSINESS AGENDA**

7. Consider and act on nominations, appointments, resignations, and removal of board and commission members.

Motion made by Mayor Pro Tem Burke to place Johnathon Ward to the Keep Corinth Beautiful. Seconded by Council Member Pickens.

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



8. Consider and act on a Change Order for the Byrne Construction Manager at Risk Contract in the amount \$163,499 for a total contract price of \$11,758,053, for the construction of The Commons at Agora and authorize the City Manager to sign the necessary documents.

Motion made by Council Member Garber - I move to approve the Change Order for the Byrne Construction Manager at Risk Contract in the amount \$163,499 and authorize the City Manager to execute the necessary documents. Seconded by Council Member Henderson.

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

9. Consider and act on an Ordinance of the City of Corinth approving an amendment to the fiscal year 2023-2024 budget and annual program of services to provide for the expenditure of funds for an Emergency Water Pipe and Street Repair in the Utility Fund and approve the ratification of the emergency expenditures; and providing an effective date.

Motion made by Council Member Garber - I move to approve an Ordinance amending the fiscal year 2023-24 Annual Program of services for the expenditure of funds for an Emergency Water Pipe and Street Repair and approve the ratification of the emergency expenditures of \$138,647. Seconded by Council Member Pickens.

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.

No comments were made.

Mayor Heidemann recessed the Regular Session Meeting at 7:03 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 governmental body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflict with Chapter 551.

**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.

b. Wolverine Interests 380 Agreement.

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

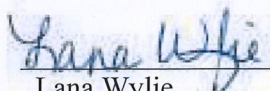
Mayor Heidemann recessed the Executive Session at 8:08 P.M. and reconvened into the Regular Session Meeting.

No action was taken.

**ADJOURN**

Mayor Heidemann adjourned the Regular Session Meeting at 8:08 P.M.

Approved by the Council on the 21st day of March 2024.



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Lana Wylie  
City Secretary  
City of Corinth, Texas