

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

On this the 6th day of December 2018 the City Council of the City of Corinth, Texas met in Regular Session at the Corinth City Hall at 7:00 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:

Members Present:

Bill Heidemann, Mayor
Lowell Johnson, Council Member
Scott Garber, Council Member
Tina Henderson, Council Member
Don Glockel, Council Member

Members Absent:

Sam Burke, Mayor Pro-Tem

Staff Members Present

Bob Hart, City Manager
Kimberly Pence, City Secretary
Shea Rodger, Technology Services Manager
Helen-Eve Liebman, Planning and Development Director
Cody Collier, Public Works Director
George Marshall, City Engineer
Ben Rodriguez, Planning and Development Manager
Lori Levy, Senior Planner
Melissa Cranford, Messer, Rockefeller, & Fort
Patricia Adams, Messer, Rockefeller, & Fort

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE:

"Honor the Texas Flag: I pledge allegiance to thee, Texas, one state under God, one and indivisible".

Mayor Pro-Tem Burke called the meeting to order at 7:00 p.m. Councilmember Garber delivered the invocation and led in the Pledge of Allegiance.

CONSENT AGENDA

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

1. Consider and Act on an Agreement with Zayo Group, LLC, to install, configure, and maintain a fiber optic connection from City Hall to the Public Safety Complex.

Councilmember Glockel - at the end of the termination and they have cable in our facility, is the conduit that is going in be owned by the City and at the end of the termination is there any verbiage that I missed that we can make them take their cable out of our building?

Shea Rodger, Technology Services Manager - I don't recall specifying one way or the other. It Council would like clarification on that we could put it into the contract?

Councilmember Glockel - I think it is worthwhile because in five years and we do terminate with them and you want to reuse that conduit, you need to get their fiber out of there. If you would discuss that issue and make sure that we are covered that would be my recommendation.

Shea Rodgers, Technology Services Manager - absolutely.

2. Consider and act on the approval of an Interlocal Agreement with the City of Plano for cooperative purchasing.
3. Consider and act on the approval of an Interlocal Agreement with Harris County Department of Education (HDPE) for cooperative purchasing on the Choice Partners Cooperative Program.
4. Consider and act on approval of calendar year 2019 Co-Sponsorship agreement between the City of Corinth and the Lake Cities Girls Softball Association for youth softball, adult softball and youth baseball.
5. Consider and act on approval of calendar year 2019 Co-Sponsorship agreement between the City of Corinth and the Lake Cities Soccer Association for youth soccer.
6. Consider the delegation of authority to the city manager to sign the Flood Mitigation grant application.

MOTION made by Councilmember Johnson to approve the Consent Agenda as presented.
Seconded by Councilmember Glockel.

AYES: Mayor Heidemann, Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: Burke

MOTION CARRIED

CITIZEN'S COMMENTS

In accordance with the Open Meetings Act, Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 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. Please complete a Public Input form if you desire to address the City Council. All remarks and questions addressed to the Council shall be addressed to the Council as a whole and not to any individual member thereof. Section 30.041B Code of Ordinance of the City of Corinth.

Wilma Stackhouse, 3812 Red Oak Drive - Lynchburg Creek needs to be contained if any more water comes across IH-35. Mrs. Stackhouse presented a picture to Council of a tree along Lynchburg Creek. The tree is about 60/70 feet tall and when it falls it will come over to the side of the creek I am on. This may happen in the next few months. The creek is already causing a great deal of damage in my neighborhood and two other neighborhoods. The City should see that every house is safe along the creek, if the creek is contained there should not be a problem.

PUBLIC HEARING/BUSINESS:

7. Conduct a Public Hearing and consider testimony and act upon a rezoning request for an approximate 26.39 acre tract of land from SF-2, Single Family Residential (Detached) to a PD, Planned Development zoning district with a base zoning designation of SF-4, Single Family Residential (Detached). The property is situated in the J. Walton Survey, Abstract Number 1389, City of Corinth, Denton County, Texas and generally located north of Walton Drive, south of Black Jack Lane, east of North Corinth Street, and west of Shady Rest Lane. (Trails at Shady Rest Rezoning)

Ben Rodriquez, Planning and Development Manager -The applicant is requesting approval of a rezoning request to develop a single family detached residential subdivision.

Existing Zoning Standards"SF-2":•Minimum lot width (100ft.)

- Minimum lot size (14,000 sqft.)
- Front setback (25ft.)
- Rear setback (30ft.)
- Side setback (7.5ft.)
- Building coverage (30%)
- Minimum home size (2,000 sqft.)

The proposal intends to amend the following standards found within the SF-4 Single Family Residential zoning district.

Proposed Standards:

- Amended minimum lot widths (50ft, 60ft & 80ft.)
- Amended minimum lot sizes (5,500 sqft, 6,600 sqft, and 8,800 sqft.)
- Reduced rear setback (10ft, 15ft when backing to ROW & 20ft when backing to existing single family to north)
- Reduced side setback (5ft)
- Increased building coverage (70%)
- Amended minimum home size (from 1,500 sqft. to up to 2,000 sqft. depending on lot size)

The developer's proposal is to develop a mixture of product types fifty (50), sixty (60) and eighty (80) feet in width, comprised entirely of single family detached homes.

The developer has worked with staff to increase the garage setback so that the face of the garage is flush with or set back from the front façade of the house in order to discourage a "snout nosed" appearance when the homes are viewed from the street.

Additionally, the developer is proposing enhanced architectural features to be incorporated into their garage design including, columns, sconce lighting, and decorative overhangs. It is staff's belief that this will provide a better overall appearance of the neighborhood.

According to the City's adopted trails plan there is to be a hike and bike trail bisecting this property in an east/west direction towards the NCTC campus as well as a north/south trail along Shady Rest Lane. The developer has agreed to incorporate both of these trails as required by the City's Ordinances.

During Staff's initial meeting with the applicant staff informed the applicant that according to the City's adopted Comprehensive Plan this area is slated to be developed as a "Mixed Use with Residential" area as well as a "Transit Oriented Development" area. The intent for this area near North Central Texas College and existing DCTA light rail line was to accommodate a variety of

housing types including townhomes, multi-family, and denser detached single family products. The applicant has responded by proposing a varying mix of higher density product types within the development, and by incorporating trails throughout the neighborhood which will assist in facilitating pedestrian access to any future transit and retail/dining opportunities which may develop in the future.

At the Planning and Zoning Commission Meeting on November 12, 2018 the Commission voted to unanimously (5-0) approve the rezoning request.

Rich Darragh, Skorburg Company - Mr. Darragh presented pictures of various projects in the DFW area. We are in the community already and want to continue to be in the community. We are proposing a PD-SF-4 and our reason behind that is we saw this as more of a transitional zoning property with 3.7 units per acre 98 houses with mixed lot sizes (50x120), (60x120), (80x130) and even (80x160) in some areas. We will have trails throughout the subdivision both the master trail plan and the sidewalks that connect to that master trail plan. There will be pocket parks throughout which we will incorporate benches, dog waste baskets, and picnic tables. This is a beautiful high quality product, connects the master trail plan and far less dense than the Comprehensive Plan 3.7 units versus 13 units per acre.

Mayor Heidemann - what type of fencing will be along the areas that are butting up to other neighborhoods?

Rick Darragh, Skorburg Company - yes, we are proposing wood fences along all the houses that are in the subdivision and then along the eastern boundary, along Shady Rest we are putting up tubular steel and masonry columns along the detention pond and where the cul-de-sac is on the east and doing the same type of fencing along Walton Drive. Everything else will be wood fencing.

Councilmember Glockel - from Walton Drive going north on the western boundary of this project that backs out of those houses, will there be a fence or not?

Ben Rodriguez, Planning and Development Manager - there will be on the backyards of those houses a six foot wooden residential fence.

Councilmember Glockel - so today there is going to be either metal and stone on Shady Rest or wood all the way around the rest of the perimeter?

Ben Rodriguez, Planning and Development Manager - correct, any site that is not adjacent to a thoroughfare.

Councilmember Glockel - the way the property lays out right now, how many houses did you increase it by asking for SF-4?

Rick Darragh, Skorburg Company- we probably increased it by 35 houses.

Mayor Heidemann opened the Public Hearing at 7:40 p.m.

Daniel O'Flaherty, 1402 Shady Rest Lane - in favor of the proposed project.

Justin Calvert, 1201 Shady Rest Lane - opposed to the proposed project. Would increase traffic, noise pollution, and environmental impact of many large trees.

Mayor Heidemann closed the Public Hearing at 7:41 p.m.

MOTION made by Councilmember Garber to approve as presented. Seconded by Councilmember Johnson.

AYES: Garber, Johnson, Henderson
NOES: Glockel
ABSENT: Burke

MOTION CARRIED

BUSINESS AGENDA

8. Consider adoption of the Strategic Plan - *Embracing the Future, Corinth 2030*.

Bob Hart, City Manager - The City, Community Stakeholders, and Staff have been diligently working on the Strategic Plan since March of this year. This Plan is the City's guide to carry out the vision statement through the identification and prioritization of goals and objectives, future trends, and desired outcomes. We are bringing it back to you tonight for formal adoption of that plan.

MOTION made by Councilmember Garber to approve the Strategic Plan through 2030. Seconded by Councilmember Henderson.

AYES: Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: Burke

MOTION CARRIED

9. Consider and act on Legislation Resolution establishing guidelines for the 2019 legislative session.

Bob Hart, City Manager - During the session, staff will seek approval of a bill to permit the city to partially fund the fire department with sales tax. In addition, staff may be asked to provide background information or testimony on various bills. As staff meets with legislators or provides testimony on the bill, they are often asked if the city council has approved staff involvement. This resolution will provide that assurance. The resolution outlines what issues staff is allowed to provide feedback.

1. All of the above recitals are true and correct.
2. The City Council of the City of Corinth, Texas, is opposed to the legislative imposition of a revenue cap and legislative interference with local services and will therefore support and preserve local government's responsibility to establish appropriate means to adequately fund services and govern.
3. The city staff is directed to provide testimony and background information in seeking passage of SB (Nelson) and HB (Stucky) to partially fund the fire department through sales tax.

4. The City staff is directed to provide briefing information and testimony in an effort to secure flood mitigation funding assistance.
5. City staff is authorized to provide briefing information and testimony, as applicable, to bills based on the following guidelines:
 - i. Support: Local responsibility for property taxation decisions and appraisals.
 - ii. Oppose: Any bill that would be discriminatory or otherwise damage Texas' reputation as a business-friendly state.
 - iii. Oppose: Any attempt by the state legislature to preempt cities or counties ability to govern and raise funds as determined necessary, with an emphasis on funding for asset management.
 - iv. Oppose: Unfunded mandates placed on our local municipalities that are veiled as solutions for education funding.
 - v. Support: Maintain existing laws relating to eminent domain authority to allow planning and development of new and/or expanded transportation corridors including high speed rail, commuter rail, freight rail, highways, telecommunications, gas pipelines and water supply projects.
1. Support: All tools necessary for successful construction of transportation projects including toll roads, tolled managed lanes, design build, concessions and any other financing avenues available including public-private partnerships and comprehensive development agreements.
2. Support: Continuing the policy of no diversions from the Highway Fund.
3. Oppose: Any legislation or executive order that may claw back or divert funds from voter approved propositions 1 and 7.
4. Support: 60X30TX, the tri-agency plan having 60% of Texans between the ages of 25-34 hold a degree or post-secondary certificate by 2030.
5. Support: Legislation that would ease the transferring of credits from community colleges to other public institutions.
6. Support: A process of increased input from the business community with regards to curriculum development at the State Board of Education.
7. Support: Initiatives to support research and attract more world class scientists to North Texas, including funding for the Governor's University Research Initiative.

The issues are taken from the TML legislative agenda and the North Texas Commission legislative agenda.

MOTION made by Councilmember Garber to approve Legislation Resolution establishing guidelines for the 2019 legislative session as presented. Seconded by Councilmember Johnson.

AYES: Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: Burke

MOTION CARRIED

10. Consider and act on a Resolution adopting the Strategic Asset Management Policy.

Bob Hart, City Manager - this policy introduces an integrated Asset Management System (AMS) across all asset classes. The AMS adopted for each asset class will be consistent with international standards and commensurate with the size and importance of those asset classes.

The policy creates a senior management team, the Asset Management Team (AMT), to oversee the development, implementation and continuous improvement of all components of the Asset Management System. Cody Collier, Public Works Director will serve as the Chair of the AMT and will be responsible for the overall design, maintenance, documentation, review and improvement of the City's Asset Management System. Other members of the team include: Garrett Skrehart, GIS Supervisor; George Marshall, City Engineer; Ben Rodriguez, Planning Manager; Chris Rodriguez, Assistant Finance Director; Becky Buck, Comptroller; Melissa Dolan, Public Works Special Projects Manager.

The approval of this policy is an important step towards integrating the Municipality's strategic goals with its asset management program, and ensuring that critical municipal infrastructure assets and vital services are maintained and provided to the community in a consistent, reliable and sustainable manner.

MOTION made by Councilmember Henderson to approve the Resolution adopting the Strategic Asset Management Policy. Seconded by Councilmember Garber.

AYES: Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: Burke

MOTION CARRIED

11. Consider and act on a Resolution calling a public hearing on January 10, 2019 relative to the City's intent to establish the City of Corinth Property Assessed Clean Energy Program ("City of Corinth PACE") and finding that financing qualified projects through contractual assessments pursuant to the PACE Act is a valid public purpose.

Bob Hart, City Manager - the Texas legislature approved a new law in 2013 establishing the Property Assessed Clean Energy Act (the "PACE ACT"). The law allows local governments to establish PACE programs that enable commercial, industrial, agricultural, nonprofit, and multifamily property owners to voluntarily tie the obligation to repay the cost of energy and water efficiency improvements to their property with a property assessment.

The PACE property assessment eliminates the current barriers to investment in maintaining property and allows the obligation to stay with the property and transfer to subsequent owners. The PACE program is a voluntary tool that enables owners to lower their operating costs and pay for eligible improvements with the savings generated, taking advantage of affordable, long-term financing provided by private capital providers.

The PACE program has currently been adopted by 15 counties and 8 individual cities in Texas. The

DFW area adopters include the cities of Dallas, Farmers Branch and Prosper along with Tarrant County. There is no cost to the City of Corinth.

MOTION made by Councilmember Johnson to approve a Resolution calling a Public Hearing on January 10, 2019 relating to the City's intent to establish the PACE Program. Seconded by Councilmember Glockel.

AYES: Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: Burke

MOTION CARRIED

12. Consider and act on City Manager employment agreement.

Bob Hart, City Manager - this was placed on the agenda through Council at the last meeting.

Councilmember Garber - do we have any word on the salary study for the City Managers position?

Bob Hart, City Manager - not at this point. We will be doing that in January.

MOTION made by Councilmember Garber to approve the City Managers employment agreement. Seconded by Councilmember Glockel.

AYES: Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: Burke

MOTION CARRIED

13. Consider and authorize the city manager to negotiate and execute an Interlocal Agreement with UTRWD for the construction of the Lake Sharon Waterline and to bring the agreement to the City Council for consideration in January.

Bob Hart, City Manager - discussions are continuing with the UTRWD to construct the water line under the Lake Sharon street extension. The city attorney is working on supplemental agreement with the current contractor. We are bringing you this as an item contingent upon supplement agreement being approved. The Upper Trinity Board did approve this agreement today and they are in the process of taking bids for that. We will have some hard numbers for you in January.

MOTION made by Councilmember Garber to authorize the City Manager to negotiate and execute an Interlocal Agreement with UTRWD for the construction of the Lake Sharon Waterline and to bring the agreement to the City Council for consideration in January. Seconded by Councilmember Johnson.

AYES: Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: Burke

MOTION CARRIED

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

The purpose of this section is to allow each councilmember the opportunity to provide general updates and/or comments to fellow councilmembers, 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 Councilmember may direct that an item be added as a business item to any future agenda.

Councilmember Henderson - would like to thank the staff for a spectacular job on the Tree Lighting event Monday night and I think the City enjoyed it as well.

Councilmember Glockel - the Senior Citizens Christmas Luncheon is next Wednesday and that event is to honor the senior citizens of our community and there is no definition of a senior citizen so if you feel like you are a senior citizen and associated with the Lake Cities area please join us next Wednesday at 11:00 am at the Lake Cities United Methodist Church Fellowship Hall. You will be treated to a full sit down Christmas dinner.

Bob Hart, City Manager - there will be a retirement celebration for Judge Mary Horn tomorrow afternoon at the Elections Administration in Denton off of Kimberly Drive from 3:00 - 5:00.

Mayor Heidemann - would like to congratulate the new hire in the Fire Department that graduated from Lake Dallas ISD Fire Academy. This again is a real tribute when you look at the community where we live the synergism between the school district and public service and it is great to see that happen and I think there is more opportunity coming when we have this kind of relationship with our school district.

Mayor Heidemann - would like to thank everyone for the outpouring support for the passing of my wife. She was a great lady and she loved this City and the people in this City.

CLOSED SESSION

The City Council will convene in such executive or (closed session) to consider any matters regarding any of the above agenda items as well as the following matters pursuant to Chapter 551 of the Texas Government Code.

Section 551.071. Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer:

Council met in Closed Session from 6:15 p.m. until 6:50 p.m. during the Workshop meeting

A. *Marcus Mote v. Debra Walthall*, Case No. 4:16-CV-00203-RC, United States District Court for the Eastern District of Texas.

B. *Todd Anthony Foust vs. City of Corinth and the Lake Cities Fire Department*, Cause No: 18-8885-431, Denton County Texas

Section 551.071, (1) Private consultation with its attorney to see 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 Bar of Texas clearly conflicts with the Texas Open Meetings Act.

Council met in Closed Session from 6:15 p.m. until 6:50 p.m. during the Workshop meeting

A. MCM Contract for Lake Sharon Roadway Extension.

Section 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

After discussion of any matters in closed session, any final action or vote taken will be in public by the City Council. City Council shall have the right at any time to seek legal advice in Closed Session from its Attorney on any agenda item, whether posted for Closed Session or not, pursuant to Section 551.071 of the Texas Government Code, Consultation with City Attorney.

RECONVENE IN OPEN SESSION - In accordance with Texas Government Code, Chapter 551 the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

MOTION made by Councilmember Garber to authorize settlement of the case filed Marcus Mote v. Debra Walthall as discussed in Executive Session and to authorize the Mayor to execute any resulting settlement agreement. Seconded by Councilmember Henderson.

AYES: Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: Burke

MOTION CARRIED

MOTION made by Councilmember Johnson to approve termination of the contract between the City and MCM for the Lake Sharon Project with the termination contingent upon negotiation of agreed termination of the contract and release and authorize the City Manager to negotiate and execute the agreed termination and said release. Seconded by Councilmember Glockel.

AYES: Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: Burke

MOTION CARRIED

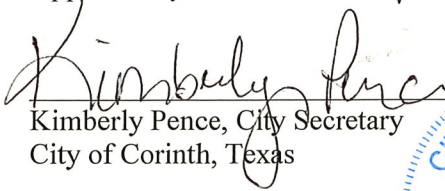
ADJOURN:

Mayor Heidemann adjourned the meeting at 8:05 P.M.

AYES: All

Meeting adjourned.

Approved by Council on the 10th day of January, 2019.


Kimberly Pence, City Secretary
City of Corinth, Texas

