

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

On this the 2nd day of February 2017 the City Council and the Planning and Zoning Commission met in a Joint Session at 5:30 pm at the Corinth City Hall, 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
Joe Harrison, Mayor Pro-Tem
Scott Garber
Lowell Johnson
Don Glockel
Sam Burke

Members Absent:

None

Staff Members Present:

Lee Ann Bunselmeyer, Acting City Manager
Curtis Birt, Lake Cities Fire Chief
Michael Ross, Deputy Fire Chief
Greg Wilkerson, Asst. Chief of Police
Fred Gibbs, Director of Planning and Development Services
Barbara Cubbage, Planning and Development Manager
Mike Brownlee, City Engineer
Nathan Abato, Coordinator
Kim Pence, City Secretary
Mack Reinwand, City Attorney
Shea Rodgers, Technology Services Manager

Planning and Zoning Commission:

Brian Rush, Chair
Bruce Hanson, Vice Chair
Dwayne Zinn, Board Member
Breien Velde, Commissioner

Members Absent:

Marc Powell
Chick Mills

Others Present:

Charlie Kearns, Eikon
Kate Kennedy, Eikon
Keith Durst, Sedalco

CALL TO ORDER:

**Mayor Heidemann called the meeting to order at 5:30 p.m.
Brian Rush called the meeting to order at 5:30 p.m.**

BUSINESS AGENDA

1. Consider and act on a site plan for the Public Safety Complex that includes the Public Safety building and new Fire Station on 6.08 acres situated on the proposed Lot 1R-1R, Block One, Pinnell Subdivision to be a replat of Lots 1R-1 and 1R-2, Block One, Pinnell Subdivision as recorded in DOC# 2016-56-PRDCT in the City of Corinth, Denton County, Texas.

Lee Ann Bunselmeyer, Acting City Manager – this process started back in May 2016 when we purchased the property and hire Eikon Services to begin the architectural design for the facility. We developed a Committee to oversee the design and to look at the cost associated with the project. Councilmember Joe Harrison and Councilmember Don Glockel were on the Committee. From staff we had Curtis Birt, Fire Chief Michael Ross, Deputy Fire Chief, Debra Walthall, Chief of Police, Greg Wilkerson, Deputy Chief of Police, myself and Shea Rodgers, Technology Services Manager and Brenton Copeland, Assistant Manager. Representative from Eikon are here tonight and will be making the presentation.

Fred Gibbs, Planning and Development Director – Eikon Representative will make a presentation on the site plan details as well as some waivers that are going to be requested tonight from both Planning and Zoning Commission and the City Council.

Charlie Kearns, Eikon – We are proposing the following waiver requests:

Utilize split-faced CMU in lieu of brick	\$121,200
Dumpster Screening from masonry to cedar	\$2,500
Eliminate mechanical yard screening devices	-
Eliminate stand-up curb at new vehicular pavement north of fire house	\$21,784
Eliminate interior staff parking lot landscaping south of firehouse	-
Utilize chain link security fencing to match existing fence	\$52,000
Total Waiver Project Savings	\$197,484

Councilmember Glockel – we have been talking about residential adjacency and the dumpster and those things are down right behind the current police department existing building. Today, that is a different piece of property than where the fire department is going so the fire department butts up maybe to the 400’ foot adjacency issue but I don’t think this piece of property does? It is not one piece of property it is two, is that correct?

Fred Gibbs, Planning and Development Director – currently the project is going through the re-plat process so that lot line is going to be removed so the fire station and the public safety building will be on one lot now so you will not have two separate lots anymore.

Charlie Kearns, Eikon – the lost presentation we did, we brought you some numbers and they were over the budget that you had given us and hopefully everyone understood that this was the process and we had work to still do and everything was working within that process. Since then the committee has done a lot of hard work and made some choices and decision to cut some things out of the project and these are the current numbers that we are bringing you tonight. We did not get to \$7.7 million and we have worked hard to get where we are now.

The following is the estimated costs based on 60% Construction documents, Building Committee cost reductions of \$917,967 and Proposed Waivers of \$197,484.

<u>Project Items</u>	<u>Scenario #1</u>	<u>Scenario #2</u> Do not build Sally Port & Holding Facility
Public Safety Building	\$3,884,041	\$3,659,357
Fire House	\$4,349,801	\$4,349,801
Materials Testing	<u>\$60,000</u>	<u>\$60,000</u>

Total	\$8,293,842	\$8,069,158
Current Capital Funding	\$7,700,000	\$7,700,000
Balance	(\$593,842)	(\$369,158)

The next step if we are going to reduce anymore dollars out of this project it will be to start cutting square footage and affecting program at this point. We have taken out everything we can.

Councilmember Harrison – explain what is the purpose and responsibility of Eikon, Sedalco, and Komatsu?

Charles Kearns, Eikon – This project is being developed under the Construction Manager at Risk process which is a little bit different than a bid process for construction documents. Eikon was engaged early on, and Sedalco came on board within a month or so after. We have been working together to come up with a design and Komatsu is our partner on this and they do a lot of public safety work. Eikon is the overall project manager in charge of the fire house design and Sedalco's role is really to work with us hand in hand in constructability and cost estimate as we go so we can work within the budget without having any surprises at the end of the process.

Councilmember Garber – the difference between scenario 1 and 2 is about \$224,000 or so. Where is the \$197,000 that we pulled out from the waivers at?

Lee Ann Bunselmeyer, Acting City Manager – the numbers in scenario #1 already include the \$917,967 cost reductions and the proposed waivers of \$197,484. If the waivers are not approved then we would need to add \$197,484 back to either scenario. So scenario #1 would now be instead of 600,000 we would be looking at about an \$800,000 shortfall. Under scenario #1 you would be looking at almost \$600,000 so the difference between scenario #1 and Scenario #2 is the Sally Port and that is \$225,000.

Councilmember Johnson – you are talking sally port, the holding cells? Are you talking everything back there, including the secured interview etc..?

Charles Kearns, Eikon – yes, that constitutes the \$224,000.

Councilmember Johnson – asked Deputy Chief Wilkerson to come up and talk about officer safety issue we might be creating?

Greg Wilkerson, Deputy Chief of Police – without this we are going to be where we are today. You understand that when we secure a prisoner we are doing paperwork that prisoner is brought into the area where officers complete their reports. There is currently a bench that is now affixed to the floor because shortly after my first arrival with this police department that bench was picked up and thrown at an officer. In these rooms we have staplers, pens and scissors and as you all know from the recent events whether it be Little Elm or Dallas Police Department all the things that happened we are not a very well-liked entity to a lot of people. Without this we have no place to secure prisoners.

Currently, we use Denton County Sherriff's Department to house our prisoners long-term. What we find is that when an officer arrests a person, we are married to that prisoner until we can give them to someone else. We have no place in our current facility to hold that prisoner for a short amount of time so we can have something very serious going on and we have no place to temporarily place a prisoner so that officer is out of service. We have to wait on Lake Dallas, Denton or even another agency to come and assist us on a major incident. This is one of the reasons to go to another facility to have options to temporarily contain individuals until we can transport.

Councilmember Johnson - where does the \$593,842 play in our contingency in the budget for this facility?

Lee Ann Bunselmeyer, Acting City Manager - there is a contingency factor in currently because these are 60% construction documents so as we get closer to 90% and 100% that contingency hopefully should shrink unless something unexpected comes up. I believe right now we are probably sitting at about \$450,000 contingency so of the \$593,842, \$450,000 is contingency at this point.

Councilmember Johnson - what is our current reserve in dollars and percentage?

Lee Ann Bunselmeyer, Acting City Manager - we have a 20% fund balance requirement, typically that is about \$3.5 million or so. We currently have about \$1.3 million in excess of our 20% budget contingency.

Councilmember Johnson - so if we chose scenario 1 then we could use money for one time purchase out of the reserve right? We really don't know what that balance number is until we work all the way down to the point to where we have 90% or 100% and Sedalco is going to step up and give us their construction manager risk figure.

Lee Ann Bunselmeyer, Acting City Manager - correct. These are estimates at this point and until we go out to bid we won't know what that final dollar will be.

Councilmember Johnson - I don't think one officer's life is worth \$600,000 and I think we are very short-sided if we march into scenario 2. I don't want to put us in the situation to where we have an officer hurt or possibly we decide we want to do this down the road and it end up costing us twice as much then it cost today. I am real concerned about the scenario that compromises the safety of our officers and our volunteers that are there as well.

Councilmember Glockel - there is no one on the committee that wants to cut the Sally Port. The purpose of cutting the Sally Port is if for some reason the budget does not get increased we are trying to give you options of what you can do. You can also cut the bay out of the fire station which will save you \$162,000 but talking to the people that I consider experts in the building trade, are saying the penalties for that are so astronomical it might come back in 8 or 10 times to try to add the bay later. The Sally Port, should we have to cut it, there is no real potential penalties at this time that we couldn't do it at budget time next year and the building is not going to be done until next year.

Councilmember Johnson - then I don't see any sense in us going forward, we see scenario 2 up there but I think we need to stand on scenario 1 until we have an idea of what the costs are going to be. I don't know why scenario 2 would be up there at this point.

Councilmember Harrison - I agree. When we get the final numbers in we may have to go much further higher and then we will have to make a big decision. What we did as a member on the committee is try to give everyone the best guess that we could. We already cut \$1 million off of this before we got to this point. I want to go with scenario #1. I think that is the best way.

Councilmember Glockel - If we are going to go with option 1 we have to tell these folks how to go back and draw the plans so they can get the bids in. We have to have a good feel if this Council is willing to go above that \$7,700,000.

Bruce Hanson, Vice Chair, Planning and Zoning Commission - on the waivers that were are seeking, they seem to be for residential adjacency can we go over exactly which parts of the new plan are adjacent to a residential use?

Fred Gibbs, Planning and Development Director - our residential adjacency standards are if a building is within 400 feet of a single-family property line that have to go beyond our typical ordinance requirements in this case that is where a lot of these waivers are coming before the Planning and Zoning Commission and the City Council.

The split-faced is one of them within that 400 feet to have brick and stone. CMU is allowable material, just outside of a residential adjacency but in this case it would not be.

The Dumpster screening needs to match the building. Typically, if it was brick the dumpster screening would be out of brick in this case they are asking for a cedar fence in lieu of the brick.

We require mechanical screening whether you put it on the roof top or if it is ground mounted it has to be screened as well.

Our Ordinance requires driveways and fire lanes to have some curb on them.

The Landscaping has nothing to do with residential adjacency it is just preference from the committee.

Bruce Hanson, Vice Chairman, Planning and Zoning Commission - of the two buildings that are on the site plan and not including the dumpsters or other equipment, what else is in that 400 feet of the residences?

Fred Gibbs, Planning and Development Director - the Fire Station itself is within the 400 feet.

MOTION made by Bruce Hanson, Vice Chairmen of the Planning and Zoning Commission to approve the site plan as presented with waivers contingent on the approval of the replat. Seconded by Brian Rush.

Councilmember Hanson - the waivers that are being presented make sense, for example the screening of equipment that is over on the east of the building is going to be blocked from anyone's view residentially. The use of the split-faced CMU does sound as it is described will not be an issue. I think that is similar to what the existing fire station #2 used and having seen that does not look like it would be objectionable. All in all these waivers look like they would fit.

AYES: Bruce Hanson, Brian Rush, Breien Velde, Dwayne Zinn

NOES: None

ABSENT: Marc Powell, Chuck Mills

MOTION CARRIED

MOTION made by Councilmember Johnson to approve the site plan approval and the waivers requested pending the replat of both properties into a single piece. Seconded by Councilmember Garber.

AYES: Burke, Garber, Johnson, Harrison, Glockel

NOES: None

ABSENT: None

MOTION CARRIED

Charles Kearns, Eikon – Sedalco will begin bidding documents to Sub-Contractors on February 8, 2017. Replat presentation to the Planning and Zoning Commission on February 27, 2017. The plan right now is for Sedalco to bring me the Guarantee Matching Price (GMP) on March 30, 2017 and amend the contract and construction starts the first week in April. Those are the key milestones that we will move forward with.

Mack Reinwand, City Attorney - do you want to talk with staff and give them direction on the question that was presented on which type of Sally Port, do you want them to come back to Council? There is no motion needed staff just needs direction.

Councilmember Glockel - the Sally Port is being bid as an alternate. It is in the plans as it goes out. We will make that decision when you get the bid back what it is going to cost to do the whole project.

There was no Closed Session.

CLOSED SESSION

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

Section 551.071. (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 conflicts with chapter 551.

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

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.

Section 551.087. 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 prospect.

ADJOURN

Brian Rush, Chairman, Planning and Zoning Commission closed the Joint meeting at 6:30 p.m.

Mayor Heidemann adjourned the Joint meeting at 6:30 p.m.

AYES: All

Meeting adjourned.

Approved by Council on the 16th day of March 2017.

Kimberly Pence
Kimberly Pence, City Secretary
City of Corinth, Texas

