

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

On this, the 3rd day of September 2020, 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
Sam Burke, Mayor Pro-Tem
Scott Garber, Council Member
Tina Henderson, Council Member
Kelly Pickens, Council Member

Staff Members Present:

Bob Hart, City Manager
Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director
Chris Rodriguez, Assistant Finance Director
Patricia Adams, Rockefeller, & Fort
Helen-Eve Beadle, Planning and Development Director
Jason Alexander, Economic Development Corporation Director
Cody Collier, Public Works Director
Guadalupe Ruiz, Human Resources Director
Jerry Garner, Police Chief
George Marshall, City Engineer
Shelley Ventra, Human Resources Analyst
Brett Cast, Engineering Services Coordinator
Brenton Copeland, Technology Services Assistant Manager
Lana Wylie, Interim City Secretary
Lance Stacy, City Marshall

Others Present:

Boyd London, Hilltop Securities

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

Mayor Heidemann called the meeting to order at 6:42 P.M. The Invocation was delivered by Council Member Garber followed by the Pledge of Allegiance and the Texas Pledge.

PROCLAMATION:

1. Proclamation: Live United (Way) Month

Mayor Heidemann presented the Carrell Ann Simmons, United Way of Denton County Board Member, via Zoom.

2. Proclamation: American Payroll Association – Payroll Week

Mayor Heidemann presented the Proclamation to Shelley Ventra, City of Corinth Human Resource Analyst.

PRESENTATION:

3. Board dinner discussion and related presentation.

Mayor Heidemann presented Amanda Scallon, Chairman of Keep Corinth Beautiful, with the first Board Member of the Year plaque for her dedication to the board.

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 Council Member, or any citizen desire discussion of any Item that Item will be removed from the Consent Agenda and will be considered separately.

4. Consider and act on the minutes from the July 16, 2020, workshop session.
5. Consider and act on minutes from the July 16, 2020, regular session.
6. Consider and act on minutes from the August 6, 2020, workshop session.
7. Consider and act on minutes from the August 6, 2020, regular session.
8. Consider and act on approval of a Right-of-Way and Subdivision Entrance(s) Maintenance Agreement between the City of Corinth and the Lake Sharon Property Owners Association (POA).
9. Consider and act on approval of a Right-of-Way and Subdivision Entrance(s) Maintenance Agreement between the City of Corinth and the Post Oak Crossing Property Owners Association (POA).
10. Consider and act on approval of a Right-of-Way and Subdivision Entrance(s) Maintenance Agreement between the City of Corinth and the Meadow Oaks Homeowners Association (HOA).
11. Consider and act on approval of a Right-of-Way and Subdivision Entrance(s) Maintenance Agreement between the City of Corinth and the Oakmont Property Owners Association (POA).
12. Consider approval for the acquisition of CityWorks, an asset management, and work order software for the Public Works Department, and authorize the City Manager to negotiate and execute contracts.
13. A Resolution of the City Council of the City of Corinth, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2020 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable rate making expenses; determining that this resolution was passed in open meetings act; providing for the incorporation of premises; adopting a savings clause; providing for severability; declaring an effective date; and requiring delivery of this Resolution to the company and the ACSC's legal counsel.
14. Consider authorizing the City Manager to execute an Interlocal Cooperation Agreement for Dobbs Road Reconstruction Project Surveying by and among the City of Lake Dallas, the City of Corinth, and the Town of Shady Shores.

MOTION made by Council Member Garber to approve the Consent Agenda and seconded by Mayor Pro Tem Burke.

AYES: Garber, Henderson, Pickens
NOES: None
ABSENT:

MOTION CARRIED

CITIZENS 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.

There were no citizen comments made.

PUBLIC HEARING:

Crime Control Board Budget

Mayor Heidemann adjourned the Regular Session at 7:00 P.M. and reconvened into the Crime Control & Prevention District. The Public Hearing for the Crime Control and Prevention District opened at 7:04 P.M. and closed at 7:06 P.M.

Mayor Heidemann reconvened back into Regular Session at 7:06 P.M.

BUSINESS AGENDA:

15. Consider adoption of a resolution directing publication of notice of intention to issue certificates of obligation to provide funds for street improvements, municipal drainage improvements, and water and sewer improvements; and resolving other matters relating to the subject.

Boyd London addressed the City Council regarding this item. The City Council did not have any questions.

MOTION made by Mayor Pro Tem Burke to approve as presented. Council Member Pickens seconded the motion.

AYES: Burke, Garber, Henderson, Pickens
NOES: None
ABSENT: None

MOTION CARRIED

16. Consider and act on an ordinance of the City of Corinth, Texas amending Chapter 35, "Municipal Court of Record", of Title III, "Administration", of the Code of Ordinances of the City of Corinth to add a new section, Section 35.09 to be entitled, "Office of City Marshal", to create the office of City Marshal; providing for the incorporation of premises; providing for an amendment; providing a cumulative repealed clause; providing a severability clause.

Lance Stacy updated the City Council on the item. The Office of the City Marshall is separate from the police department; however, he is authorized to utilize their facilities with the Police Department's agreement. Municipal Court currently holds over 7,300 warrants totaling approximately \$3.67 million. The position was initially created in 2010 and used as needed outside of its attendance regularly. The officer was routinely pulled out to work on patrol, security for meetings, so the position disappeared. The City Marshal position would operate more efficiently and not be bound by the police department's policies and procedures. Creating a separate law enforcement agency, as clear delineation would be made regarding the duties of the office management supervision of the off and budget considerations. The cost to acquire an agency number from TCOLE is minimal. The Texas Commission on Law enforcement and the position can use the City Marshal identification markings without concern for any legal challenges.

MOTION made by Council Member Garber to approve as presented. Mayor Pro Tem Burke seconded the motion.

AYES: Burke, Garber, Henderson, Pickens
NOES: None
ABSENT: None

MOTION CARRIED

17. Consider casting of votes for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees.

Mr. Hart shared the ballot detail for the TML Intergovernmental Risk Pool Board of Trustees. They are a separate organization from the TML, created through the efforts of TML for general liability and workers compensation. The Board of Directors governs the risk pool, and as a member, the city is entitled to vote. The write up included recommendations, but you may select whomever you want. Mayor Pro Tem asked which staff vetted the nominees. Mr. Hart vetted the nominees.

MOTION made by Mayor Pro Tem Burke to approve the slate proposed by Bob Hart for places 1 through 4 and cast our ballot in favor of those individuals identified by Mr. Hart. Council Member Henderson seconded the motion.

AYES: Burke, Garber, Henderson, Pickens
NOES: None
ABSENT: None

MOTION CARRIED

18. Consider and act on the fiscal year 2020-2021 Proposed Budget for the City of Corinth Crime Control and Prevention District.

Mr. Hart stated the item is in the general budget and the proposed budget that the Crime Control District Board has recommended to the council for consideration.

MOTION made by Council Member Henderson to approve as presented. Council Member Garber seconded the motion.

AYES: Burke, Garber, Henderson, Pickens
NOES: None
ABSENT: None

MOTION CARRIED

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.

Mr. Hart reminded the City Council of the TML and NLC Virtual Conferences and requested they contact him or Lana Wylie to register.

Mayor Heidemann thanked the City Manager for the joint meeting with the Mayors for the four cities. Also present were three ministers, Mr. Henderson from the United Way of Denton County. Mr. Hart spearheaded the presentation from the Search Institute. I came out of that meeting feeling very good about our communities. It seems like our communities are coming together. We are starting to think alike and will focus on some of the critical issues, and those are the children in our community. Once you see this unfold, the next step will be for us to create a board of 12 people, and then we will make a 5013-C, which Mr. Henderson from United Way said he would do the work to get that laid out. It will allow us to focus on all four communities and make Lake Cities a better place. As I told everybody in our meeting, better people will make better Lake Cities. I think this is our goal and our objective, and I want to thank Mr. Hart for his efforts; he made a hit with me on that at that meeting.

CLOSED SESSION

The City Council will convene in closed session to consider any matters regarding matters pursuant to Chapter 551 of the Texas Government Code.

City Council did not meet in Closed Session during the Regular Session Meeting.

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 governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

a. Update on internal control review.

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.

a. Right-of-way consisting of .198 acres located at 6801 S I-35E and 3404 Dobbs Road along Dobbs Road within the H. Garrison Survey, Abstract No. 507, within the City of Corinth, Denton County, Texas (F)

b. Being 10.49 acres of land located in the J. WALTON SURVEY, Abstract No. 1389, City of Corinth, Denton County, Texas, and being a portion of the tract of land conveyed to Anchor City Investments, LLC, by the deed recorded in Instrument No. 2006-90896, of the Deed Records of Denton County, Texas (D)

c. Being 1.24 acres of land out of the J. P. Walton Survey, Abstract 1389, City of Corinth, Denton County, Texas (B)

d. Sanitary Sewer Easement consisting of .039 acres, Tract 3 out of the E.A. Garrison Survey, Abstract 511, within the City of Corinth, Denton County, Texas (R)

e. Sanitary Sewer Easement consisting of .032 acres located at 3605 Dobbs Road along Dobbs within the Lake Vista Business Park Final Plat, within the City of Corinth, Denton County, Texas (LV)

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.

a. Project Agora

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.

RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON CLOSED SESSION ITEMS.

MOTION made by Council Member Garber to authorize the City Manager to sign the closing documents for the acquisition of 1.24 acres of land out of the J.P. Walton Survey, Abstract 1389, City of Corinth, Denton County, Texas in the amount of \$600,000.00. Council Member Pickens seconded the motion. Mayor Pro Tem Burke abstained from the vote.

AYES: Garber, Henderson, Pickens
NOES: None
ABSENT: None
ABSTAIN: Burke

MOTION CARRIED

MOTION made by Mayor Pro Tem Burke to authorize the City Manager to execute a contract to purchase the sanitary sewer easement consisting of .039 acres, Tract 3 out of the E.A. Garrison Survey, Abstract 511, within the City of Corinth, Denton County, Texas, in the amount of \$7,174.00. Council Member Pickens seconded the motion.

AYES: Burke, Garber, Henderson, Pickens
NOES: None
ABSENT: None

MOTION made by Mayor Pro Tem Burke to authorize the City Manager to execute a contract to purchase the sanitary sewer easement consisting of .032 acres located at 3605 Dobbs Road along Dobbs within the Lake Vista Business Park Final Plat, within the City of Corinth, Denton County, Texas, in the amount of \$3,425.00. Council Member Pickens seconded the motion.

AYES: Burke, Garber, Henderson, Pickens
NOES: None
ABSENT: None

ADJOURN:

Mayor Heidemann adjourned the meeting at 7:16 p.m.

AYES: All

Meeting adjourned.

Approved by Council on the 22nd day of October 2020.

Lana Wylie

Lana Wylie, Interim City Secretary
City of Corinth, Texas

