

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

On this, the 3rd day of December 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:

Council Members Present:

Bill Heidemann, Mayor
Scott Garber, Council Member
Steve Holzwarth, Council Member
Tina Henderson, Council Member
Kelly Pickens, Council Member

Council Member Absent:

Sam Burke, Mayor Pro-Tem

Staff Members Present:

Bob Hart, City Manager
Patricia Adams, Rockefeller, & Fort
Michael Ross, Fire Chief
Jerry Garner, Police Chief
Jason Alexander, Economic Development Corporation Director
Helen-Eve Beadle, Planning & Development Director
George Marshall, City Engineer
Melissa Dolan, Interim Public Works Director
Shea Rodgers, Technology Services Manager
Lana Wylie, Interim City Secretary
Lance Stacy, City Marshal
Katherine Lindsey, Intern

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

Mayor Heidemann called the meeting to order at 6:21 P.M. The Invocation was delivered by Council Member Garber, followed by the Pledge of Allegiance and the Texas Pledge.

PROCLAMATION

1. A Proclamation recognizing the Lake Cities FD career of Captain Troy Hammons.

Mayor Heidemann presented Shane Smith, Interim Fire Captain, with the Proclamation honoring the career of Captain Hammons.

Fire Chief Ross thanked the Mayor and City Council for the Proclamation.

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.

2. Consider and act on Resolution 20-12-03-25 approving a compensation plan for employees. adopting pay schedules for General Government, Police, and Fire employees; and providing for an effective date.
3. Consider and act on approval of calendar year 2021 Co-Sponsorship agreement between the City of Corinth and the Lake Cities Girls Softball Association for youth softball, adult softball and youth baseball.
4. Consider and act on approval of calendar year 2021 Co-Sponsorship agreement between the City of Corinth and the Lake Cities Soccer Association for youth soccer.
5. Consider and act on an Interlocal Agreement for the Lake Cities Fire Department to provide fire protection to the unincorporated parts of Denton County that are within the boundaries of the LCFD response area.
6. Consider and act on an Interlocal Agreement for the Lake Cities Fire Department to provide Ambulance Services to the unincorporated parts of Denton County that are within the boundaries of the LCFD response area.
7. Consider and act on Resolution 20-12-03-26 suspending the January 23, 2021, effective date of CoServ Gas, LTD.'s requested increase to permit the city time to study the request and to establish reasonable rates; Approving cooperation with other cities in the Coserv Gas, Ltd. service area; Hiring legal and consulting services to negotiate with the company and direct any necessary litigation and appeals; authorizing intervention in Docket OS-20-00005136 at the Railroad Commission; Requiring reimbursement of cities' rate case expenses; Finding that the meeting at which this resolution is passed is open to the public as required by law; Requiring notice of this resolution to the company and legal counsel.
8. Consider entering into a drainage maintenance agreement with the Crosspointe Subdivision Homeowners Association for the operation and maintenance of the detention basin located upstream from their development.

Council Member Henderson – Move to approve the Consent Agenda as presented. Council Member Garber seconded the motion.

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

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.

BUSINESS AGENDA:

9. Consider and appoint a Chair and Vice Chair for the Planning and Zoning Commission for Fiscal Year 2020-2021 per the procedures of the City Charter.

Council Member Garber - Move to appoint Brian Rush to serve as Chair and Lindsey Baker to serve as Vice Chair of the Planning and Zoning Commission for the 2020-2021 fiscal year. Council Member Pickens seconded the motion.

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

MOTION CARRIED

10. Consider and act on the placement of the 2nd Alternate for the Planning & Zoning Commission.

Council Member Garber - Move to appoint Wade May to serve as the 2nd Alternate for the Planning and Zoning Commission for the remainder of an unexpired term ending on September 30, 2021. Council Member Henderson seconded the motion.

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

MOTION CARRIED

11. Consider and act on Resolution 20-12-03-27 supporting the Lake Cities Focus.

Council Member Henderson - Move to approve Resolution No. 20-12-03-27 supporting the Lake Cities Focus. Council Member Garber seconded the motion.

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

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.

City Manager Hart notified the Council of the Lake Sharon Road extension opening on Wednesday, September 16th at 4:00 P.M., and then a reception at Oakmont Country Club. He also updated the Council on the Broadband study by Connected Nation with the Lake Cities Managers and informed them of the meetings over the next three months.

Mayor Heidemann stated that the North Central Texas Council of Government's primary focus is on

Broadband and commended the staff for their proactive effort.

**Mayor Heidemann recessed the Regular Session at 6:39 P.M.
and convened into Closed Session at 6:40 P.M.**

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.

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 Bar of Texas clearly conflicts with the Texas Open Meetings Act.

- a. **Flood mitigation right of entry - ±38.825 acres located at 2455 Silver Meadow Lane, Corinth, Texas 76208.**
- b. **Police procedures and potential claim.**

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. **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 (WD).**
- b. **Being 1.24 acres of land out of the J. P. Walton Survey, Abstract 1389, City of Corinth, Denton County, Texas (TOD West 1).**
- c. **Being 1.548 acres, Tract 10 (PT), Old DCAD TR 2B, 2D, out of the J. P. Walton Survey, Abstract 1389, within the City of Corinth, Denton County, Texas (TOD West 2).**
- d. **2003 Corinth Parkway (RC).**
- e. **1200 North Corinth Street (C).**
- f. **Being approximately 13 acres of land, more or less, in the North Central Texas College Addition No. 2, Block A, Lot 1R (N).**
- g. **Being approximately 7 acres of land, more or less, located in the J.P. Walton Survey, Abstract No. 1389, City of Corinth, Denton County, Texas (H).**
- h. **Right-of-way consisting of .252 acres located at 2304 Quail Run Drive along Dobbs Road within the E. Garrison Survey, Abstract No. 511, within the City of Corinth, Denton County, Texas.**
- i. **Right-of-way consisting of 1.56 acres located at 6881 South I-35E and along Dobbs Road within the H. Garrison Survey, Abstract No. 507, within the City of Corinth, Denton County, Texas. (M/B)**
- j. **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)**

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.

**Mayor Heidemann recessed Closed Session at 7:49 P.M.
and reconvened back into regular session at 7:51 P.M.**

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

Council Member Garber - Move to authorize the City Attorney to proceed with legal action necessary to obtain right of entry on the approximate 38.825 acres of land located at 2455 Silver Meadow Lane, Corinth, Texas, including without limitation action to file a petition requesting a temporary restraining order and temporary and permanent injunction. Council Member Henderson seconded the motion.

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

MOTION CARRIED

Council Member Garber - Move to authorize the conveyance of up to an approximate 10.49 acres of land located in the J.P. Walton Survey, Abstract No. 1389, City of Corinth, Denton County, Texas from the City of Corinth to the Corinth Economic Development Corporation to be used by the EDC for economic development purposes in accordance with state law, providing that funds received by the EDC by third parties purchasing or leasing the land will be reimbursed to the City, and subject to Council approval or ratification, to authorize the City Manager to execute appropriate contractual documents for the conveyance. Council Member Pickens seconded the motion.

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

MOTION CARRIED

Council Member Henderson - Move to authorize the conveyance of an approximate 1.24 acres of land located in the J. P. Walton Survey, Abstract No. 1389, City of Corinth, Denton County, Texas from the City of Corinth to the Corinth Economic Development Corporation to be used by the EDC for economic development purposes in accordance with state law, providing that funds received by the EDC by third parties purchasing or leasing the land will be reimbursed to the City, and subject to Council approval or ratification, to authorize the City Manager to execute appropriate contractual documents for the conveyance. Council Member Pickens seconded the motion.

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

MOTION CARRIED

Council Member Garber - Move to authorize the conveyance of an approximate 1.548 acres of land, Tract 10 (PT), Old DCAD TR 2B, 2D, out of the located in the J.P. Walton Survey, Abstract No. 1389, City of Corinth, Denton County, Texas from the City of Corinth to the Corinth Economic Development Corporation to be used by the EDC for economic development purposes in accordance with state law, providing that funds received by the EDC by third parties purchasing or leasing the land will be reimbursed to the City, and subject to City Council approval or ratification, to authorize the City Manager to execute appropriate contractual documents for the conveyance. Council Member Pickens seconded the motion.

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

MOTION CARRIED

Council Member Pickens - Move to authorize the conveyance of the property located at 2003 Corinth Parkway, Corinth, Denton County, Texas from the City of Corinth to the Corinth Economic Development Corporation to be used by the EDC for economic development purposes in accordance with state law, providing that funds received by the EDC by third parties purchasing or leasing the land will be reimbursed to the City, and subject to City Council approval or ratification, to authorize the City Manager to execute appropriate contractual documents for the conveyance. Council Member Garber seconded the motion.

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

MOTION CARRIED

Council Member Henderson - Move to authorize the conveyance of the property located at 1200 North Corinth Street, Corinth, Denton County, Texas from the City of Corinth to the Corinth Economic Development Corporation to be used by the EDC for economic development purposes in accordance with state law, providing that funds received by the EDC by third parties purchasing or leasing the land will be reimbursed to the City, and subject to City Council approval or ratification, to authorize the City Manager

to execute appropriate contractual documents for the conveyance. Council Member Garber seconded the motion.

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

MOTION CARRIED

Council Member Garber - Move to authorize the purchase of right of way consisting of .252 acres located at 2304 Quail Run Drive along Dobbs Road within the E. Garrison Survey, Abstract No. 511, within the City of Corinth, Denton County, Texas, for an amount not to exceed \$80,150, and to authorize the City Manager to execute appropriate contractual documents for the acquisition. Council Member Henderson seconded the motion.

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

MOTION CARRIED

ADJOURN:

Mayor Heidemann adjourned the meeting at 8:02 P.M.

AYES: All

Meeting adjourned.

Approved by Council on the 17th day of December 2020.

Lana Wylie
Lana Wylie, Interim City Secretary
City of Corinth, Texas

