

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

On this the 16<sup>th</sup> day of June 2016 the City Council of the City of Corinth, Texas met in a Regular Session at 7:00 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  
Kim Pence, City Secretary  
Fred Gibbs, Planning & Development Director  
Curtis Birt, Fire Chief LCFD  
Jason Alexander, Economic Development Director  
Barbara Cubbage, Planning & Development Manager  
Brenton Copeland, Technology Services  
Mike Brownlee, City Engineer  
Elaine Herzog, Business Manager  
Maria Rovira, City Attorney

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**CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE:**

Mayor Heidemann called the meeting to order at 7:00 pm, Elaine Herzog 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 Minutes from the May 5, 2016 Workshop Session.
2. Consider and act on Minutes from the May 5, 2016 Regular Session.
3. Consider and act on Minutes from the May 12, 2016 Special Session.
4. Consider and act on Minutes from the May 17, 2016 Special Session.
5. Consider and act on Minutes from the May 19, 2016 Workshop Session.
6. Consider and act on Minutes from the May 19, 2016 Regular Session.
7. Consider and approve the 2017 Proposed Budget for the Denton Central Appraisal District.

8. Consider and act on an Ordinance of the City of Corinth, Texas approving an amendment to the Fiscal Year 2016-16 City of Corinth Budget and Annual Program of Services to provide for the expenditure of funds from the General Fund for additional legal services as a result of unanticipated and unforeseeable events.
9. Consider and Act on the purchase of a 2016 Pierce Arrow XT Pumper from Siddons-Martin Emergency Group.
10. Consider and Act on a Resolution approving a Public Property Finance Act Contract for the purpose of purchasing a pumper truck.

**MOTION** was made by Councilmember Johnson to approve the consent agenda as presented with the correction on the date on item #5, it was listed as 2017 and should be 2016 Workshop Session. Seconded by Councilmember Burke.

**AYES:** Johnson, Harrison, Burke, Garber, Glockel  
**NOES:** None  
**ABSENT:** None

### **MOTION CARRIES**

### **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.

**Mayor Heidemann** – At this time I would like to have Zack Mistrot stand, he is a Boy Scout here tonight to witness a City Council meeting and he is working on his Merit Badge for that activity. Welcome to our Council meeting and Congratulations on your efforts.

**Zack Mistrot, Boy Scout** – Thank you.

**Mayor Heidemann** – At this time I want to have Mr. Lowell Johnson come down to the podium please. Every year the Police Department sponsors a 5K Run and it is a very well attended activity and this year Mr. Johnson participated in it and this is quite an incentive for the rest of the Council members to maybe think about a 5K walk next year. I just wanted to recognize Mr. Johnson for the efforts that he put in to his participation in that 5K run. He did win a medal.

### **PUBLIC HEARING/BUSINESS ITEM**

11. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT DALE RIDINGER, WITH RIDINGER ASSOCIATES, INC, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNERS, JOHN HOFFLER AND SUSAN TORRIE FOR A ZONING CHANGE FROM SINGLE FAMILY-2 (SF-2) TO PLANNED DEVELOPMENT SINGLE FAMILY-3 PROVIDING A CONCEPT DESIGN MAP ON A TOTAL OF 2.658 ACRES LEGALLY DESCRIBED AS A PORTION OF J. HOFFLER ADDITION, BEING A PART OF A CERTAIN TRACT OF LAND DESCRIBED BY DEED TO JOHN V. HOFFLER RECORDED IN VOLUME 2853, PAGE 707 OF THE PRDCT AND BEING TRACT 3 SITUATED IN THE J.M. WALTON SURVEY, COUNTY ABSTRACT 1390 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. (This property is located on the south side of Fritz Lane – 3618 Fritz Lane).

**Fred Gibbs, Planning and Development Director** – This item has been before the City Council already, it was tabled to this date for some consideration. The applicant is here tonight to go over a presentation as well. This is the recap of exactly what is being considered tonight during this public hearing. It is approximately 2.6 acres, single family lots, zoned SF-2, the proposed zoning is to have a base district of SF-3 and the key changes are listed below. They want to change it to 70 foot building lines, 60 foot property line, floor area will be increased to 2400 square foot and increase the lot coverage to 40%. These changes are exactly the changes that City Council approved on Phase 1, there is a cohesiveness to the development. The area we are talking about tonight is where 3602 is, it is 8 lots approximately fronting on the extension of Bell Way. (Referred to map) The applicant is here tonight to go over a handful of slides to present to Council.

**Reginald Rembert, Developer with Rembert Custom Builders** – I will not add much, Fred pretty much made the presentation of what we are looking to do. We did have a work session last week and a meeting with the HOA on Tuesday night and I am thinking the general consensus of that may have been okay. I have a couple of slides that show what Fred just did. That is the main slide showing the additional lots which is just an extension of Bell Way and put in lots and back alleys. I do not have anything else and can answer any questions you may have.

Public Hearing opened at 7:14 pm.

Public Hearing closed at 7:15 pm.

**BUSINESS:**

Consider and act on an ordinance for a zoning change from Single Family-2 (SF-2) to Planned Development Single Family-3 amending Ordinance No. 14-04-07-16 by adding eight lots and a total of 2.658 acres legally described as a portion of J. Hoeffler Addition, and being a part of a certain tract of land described by deed to John V. Hoeffler recorded in Volume 2853, Page 7-7 of the PRDCT and being Tract 3 situated in the J.N. Walton Survey, County Abstract 1390 in the City of Corinth, Denton County, Texas.

**Councilmember Johnson** – The one letter you included in here, the one letter not approving it, can you show me where on the map Stephanie Pals, 3607 Fritz I believe is the address.

**Fred Gibbs, Planning and Development Director** – showed the area on the map.

**Mayor Heidemann** – I would entertain a motion on that item.

**MOTION** was made by Councilmember Burke to approve the ordinance for the zoning change as requested in business item #11. Seconded by Councilmember Harrison.

**AYES:** Johnson, Harrison, Burke, Glockel  
**NOES:** Garber  
**ABSENT:** None

**MOTION CARRIES**

**BUSINESS AGENDA:**

12. Consider and act on a request from the applicant, Dale Ridinger with Ridinger Associates Inc., authorized representative for the property owner, for a Major Waiver to City of Corinth Ordinance No. 13-05-08-20, Unified Development Code (UDC) to allow an 80 foot turnaround outside paving diameter in lieu of the 100 foot outside paving diameter as required in the UDC; and an 81 foot diameter temporary turnaround easement in lieu of the 120 feet dimension as required for the Right-of-Way in the UDC on a total of 2.658 acres legally described as a portion of J. Hoeffler Addition, and being a part of a certain tract of land described by deed to John V. Hoeffler recorded in Volume

2853, Page 7-7 of the PRDCT and being Tract 3 situated in the J.M. Walton Survey, County Abstract 1390 in the City of Corinth, Denton County, Texas.

**Fred Gibbs, Planning and Development Director** – As the agenda states the applicant is requesting to reduce the turnaround requirements that are listed in our UDC. We currently, in our requirements require 120 feet dimension ROW for a typical cul-de-sac turnaround. They propose a 100 foot outside diameter in lieu of the 120 foot requirement. We have ran this through the Fire Department and they do support this particular request as well as staff. The applicant is here also tonight to discuss anything else regarding the agenda item.

**Councilmember Glockel** – I would like to ask the developer if he plans on trying to buy the south half of the next two lots.

**Dale Ridinger, Ridinger Associates Inc.** - Not at this time. I think the gentlemen that the end of us suggested it at a pretty significant sore field out back. We have talked to him and we do not think we will be moving forward in that direction any time soon.

**Councilmember Glockel** – So if you do buy the next two lots, are you trying to get access to a street?

**Dale Ridinger, Ridinger Associates Inc.** - It would be an extension but right now we have no plan that is why we put the turnaround, so we can be done with that cul-de-sac. We are not planning on going any farther. We cannot get out to Shady Rest.

**Councilmember Glockel** – So if there is no plans to go further than the word “temporary” it really means permanent?

**Dale Ridinger, Ridinger Associates Inc.** – I guess as it relates to the circle, I thought that was permanent circle and that something else is happening in the future, it just would not be us. Is that temporary or permanent? I was not 100% sure of that.

**Fred Gibbs, Planning and Development Director** – It is considered a temporary turnaround because it does not meet our ordinance. The ordinance allows temporary turnarounds within phases of developments and that is typically when you would do a temporary turnaround in this case so it is temporary until it meets the requirements. That is how it is worded in the ordinance.

**Mayor Heidemann** – I would entertain a motion on that item.

**MOTION** was made by Councilmember Harrison that we consider and approve the request for a major waiver of City Ordinance No. 13-05-08-20 UDC to allow and 80 foot turnaround outside paving diameter in lieu of the 100 foot outside paving diameter and an 81 foot diameter temporary turnaround easement in lieu of the 120 feet dimension as required for the Right- of-Way of the UDC. Seconded by Councilmember Burke.

**AYES:** Johnson, Harrison, Burke, Garber  
**NOES:** Glockel  
**ABSENT:** None

### **MOTION CARRIES**

13. Consider and act on the Site Plan for North Texas Storage legally described as Rodgers-O’Brien Business Park Addition Lot 2-R zoned Planned Development Commercial (PD 2) being 4.98 acres in the City of Corinth, Denton County, Texas.

**Fred Gibbs, Planning and Development Director** – I have a couple of slides and then I am going to ask the applicant to go over in more detail exactly what the site plan entails tonight. What we are looking at is The North Texas Storage site plan, this vicinity map shows exactly the location of this particular facility, it

is approximately 4.98 acres. What is being proposed tonight is about 78,000 square foot of mini-storage along with about 22,400 square foot of office/warehouse. As you can see it is located along Cliff Oak and directly behind the Aldi and the Chicken Express site. It is zoned PD Commercial, that PD does have some specific uses that does allow this particular use on that property. Some key features they are proposing is a wrought iron fence around the facility and around the retention pond. When the original PD was approved one of the things was added was a fountain, the Council at that time wanted a fountain added to that PD, this is the last lot of that PD so they are adding the fountain to the existing retention pond. The zoning map shows you the zoning in and around this area, you can see that it is surrounded by single family along with some utility districts and some commercial property. Staff recommends approval of the site plan, it meets the requirements of the PD and the uses. The Planning and Zoning Commission also approved the request 5-0.

**Councilmember Harrison** – On the two office complexes I am looking at, we do not allow businesses to operate on storage facilities, correct?

**Fred Gibbs, Planning and Development Director** – You are correct.

**Councilmember Harrison** – If somebody has an office in one of those office complexes, can they have the office there and work out of the storage area?

**Fred Gibbs, Planning and Development Director** - Their office warehouse, they are basically very similar to what the Pinnell Square is. Those are office warehouses so they typically have the office front and the back is where they would store their goods. It is my understanding the storage is a separate entity from what the office warehouse would be housing. The applicant may be able to answer it a little bit more clearly.

**O’Neal Gray, SFRC Holdings** – The office/warehouse product is what they call incubator space, it is about 200 square feet of office in the front and 600 square feet of a warehouse but they would not be working out of the self-storage, that is not allowed. North Texas Storage, we have been doing this for a while and we currently have four properties now, this would be our fifth. Here are two of our other properties (slides) one in Carrollton and one in Lewisville. We have 25,950 square feet of self-storage and the other two are offices in one of the locations in Carrollton. Here is an overall prospective with our retention pond we have the ornamental wrought iron fence with the fountain in there. This is a sight plan overview, photometric plan, and self-storage unit mix. He is an office/warehouse breakdown, we will have 23 units, 20,040 square feet total. Layout for the office/warehouse product. Line of sight, the residential adjacency across the street. The fountain detail, fence detail, and screening. The retention pond is our responsibility to take care of. Here is our hours of operation, Monday – Friday 9:30 am-6:00 pm, Saturday 9:00 am-5:30 pm and closed on Sunday.

**Councilmember Glockel** – In your presentation and you refer to it as a detention pond, is it a detention or a retention pond?

**Fred Gibbs, Planning and Development Director** – Retention pond.

**Mayor Heidemann** – One of the things we aggressively pursued this year with the West Nile mosquito situation and also with the Zika, and this is on private property so we would not have access to it, do you take steps to prevent that type of situation to harbor mosquito type of betting?

**O’Neal Gray, SFRC Holdings** - I understand your concern, with a detention pond, with the fountain it will move the water and I am sure we could spray for it, does that answer your question?

**Mayor Heidemann** – Spraying is one of the things we were not big on. We would prefer to have it treated with other types of treatments rather than spraying.

**O’Neal Gray, SFRC Holdings** – We will work with you, you let us know what we need to do to take care of an issue and we will take care of it.

**Mayor Heidemann** – I think that you would probably have to work through Cody.

**O’Neal Gray, SFRC Holdings** - If I can get that contact, we will take of it.

**Councilmember Glockel** – When you talk about moving the water, is the pump cosmetic or is it designed to move enough water to eliminate the concerns that the Mayor asking you about?

**O’Neal Gray, SFRC Holdings** – I believe it is cosmetic but it will move enough water to make it circulate.

**Councilmember Garber** – You had mentioned that it was incubator space, what is the philosophy behind incubator space, is this where new businesses would come and start up shop and maybe move on as they get larger? Is that the philosophy behind this?

**O’Neal Gray, SFRC Holdings** – Yes Sir. We actually have this product at one of our other properties on Denton Tap, we have 12 units there and it is for the smaller businesses, they have the 200 square foot office and area in the back is for their product. You see a bunch of small businesses office out of there.

**Mayor Heidemann** – I would entertain a motion on item #13.

**Councilmember Glockel** – What are your intentions with that north/south road coming out through there? Are you going to leave it open for the general public to go through or is that going to be somewhat restricted?

**O’Neal Gray, SFRC Holdings** - No Sir, it is open to the general public. We will not gate that north/south road that is open.

**MOTION** was made by Councilmember Garber to approve. Seconded by Councilmember Johnson.

**AYES:** Johnson, Harrison, Burke, Garber, Glockel  
**NOES:** None  
**ABSENT:** None

### **MOTION CARRIES**

14. Consider and act on an ordinance for the abandonment of a 0.137 acre platted alley on Lot 6-B1, Block 1 of the Pecan Creek Addition, more commonly known as 5150 South IH-35E Freeway, Corinth, TX, 76210.

**Fred Gibbs, Planning and Development Director** – Our City Engineer, Mike Brownlee, has a presentation, the same one we went over in the workshop, if you would like him to go over it. This is the routine item we have to do after the workshop, seek your approval and send it over to the applicant and they can start their process of the sale and buying of that property.

**MOTION** was made by Councilmember Harrison to approve the ordinance for abandonment of a 0.137 acre platted alley on Lot 6-B1, Block 1 of the Pecan Creek Addition, more commonly known as 5150 South IH-35E Freeway, Corinth, TX, 76210. Seconded by Councilmember Burke.

**Councilmember Glockel** – In the last workshop there was only one loose end, that I recall, and that was notification of the property owner to the south, has that been done and there was not any major issues?

**Fred Gibbs, Planning and Development Director** – Yes, we did make that notification, I believe we put the copy of the certified letter where they actually received and signed for it. We did not hear anything back from them.

**AYES:** Johnson, Harrison, Burke, Garber, Glockel  
**NOES:** None  
**ABSENT:** None

## MOTION CARRIES

15. Consider and act on a contract with EIKON Consulting Group, LLC for Architectural and Engineering design services of a combined Public Safety Facility and Fire House.

**Lee Ann Bunselmeyer, Acting City Manager** – In March of this year we solicited proposals from eight firms for architectural design services for the joint public safety facility and fire house. In May we had a design committee that was comprised of two councilmembers, Councilmembers Glockel and Harrison, two Chiefs, Walthall and Birt, Technologies Manager, Shea Rodgers and myself that evaluated those proposals and conducted interviews with two firms. The Committee has unanimously recommended that the Council approve the contract with Eikon to start the architectural design for that facility. If this is approved, next week we will again meet with our committee and start the process, they will be working closely with staff for the next three to four weeks and come back to our subcommittee for some final review and updates on the design, with the hope and intent that some time towards the end of August that we will have designs in front of the Council for both the fire house and the joint public safety facility.

**Mayor Heidemann** – I would entertain a motion on that item.

**MOTION** was made by Councilmember Glockel to accept business item #15 as stated for the Eikon architectural firm. Seconded by Councilmember Garber.

**AYES:** Johnson, Harrison, Burke, Garber, Glockel  
**NOES:** None  
**ABSENT:** None

## MOTION CARRIES

**Charlie Kearns, Eikon Consulting** – I want to thank you all for your support. We are looking forward to the project and we will do a good job for you.

### 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 Burke** - I would request we add an item on the next agenda for the appointment of my replacement to the EDC.

**Councilmember Garber** – I would like to thank staff, over the last couple of weeks we have had a lot of emails back and forth. Especially dealing with citizen concerns. I want to make it clear how pleased I was with all that went down. In fact three of you showed up at the HOA meeting that certainly was not required but I think it spoke volumes to customer service. It really meant a lot to me and meant a lot to everybody else.

**Councilmember Johnson** – Since you presented me with my medal this evening, I would then challenge to all the Council and staff and everybody else that is interested. Get comfortable with and familiar with the Denton Runners Club website, they list all the races coming along. I think there is one coming up here around July 4<sup>th</sup>. It is one of those hotter than you can imagine races. Denton Runners Club meets on Wednesday evenings so it would not affect our Council meetings at the Denton Draft House, it is interesting because you can run at 7:00 pm or 8:00 pm.

**Mayor Heidemann** – I would like to thank staff for all their efforts. I know it gets a little taxing at times and you are going through budgets and those kind of stuff, but we really do appreciate all your efforts that you put into these presentations and the details you have to search out for us to answer the questions we

have. A lot of times people think they taken for granted, but we really do appreciate all you do. I would also like to thank the City Manager and also Erin Causey, I was contacted by the baseball association, Mr. Kim, the organizer for the baseball, and we gave him a sendoff last Friday night and the City Manager was so kind as to get the Police Department and the fire truck down there. When you have all these young men down there getting anxious to go play baseball but when the fire truck and the police car shows up, baseball is in the backseat. These people really loved it. Again, I want to thank you all for taking the time and effort to coordinate that, it is another way of us giving back to the citizens of Corinth what they give us.

**There was no Closed Session.**

**CLOSED SESSION**

The City Council will convene in executive (closed session) to consider any matters regarding any of the above listed 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; (2) and/or 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.

- **Deliberation of the employment, reassignment, or duties of the City Manager.**

**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.

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.

**ADJOURN REGULAR MEETING:**

**Mayor Heidemann adjourned the Regular Session at 7:45 pm.**

Approved by Council on the \_\_\_\_ day of \_\_\_\_\_, 2015

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