

**Council Action Log
August 4, 2016**

****Official minutes will be posted after Council approval****

**State of Texas
County of Denton
City of Corinth**

On this the 4th day of August, 2016 the City Council of the City of Corinth, Texas met in a 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:

Present: Bill Heidemann, Mayor
Joe Harrison, Mayor Pro-Tem
Sam Burke, Council Member
Scott Garber, Council Member
Don Glockel, Council Member

Absent: Lowell Johnson, Council Member

Staff Members Present: Lee Ann Bunselmeyer, Finance Director
Fred Gibbs, Planning and Development Director
Cathy Stallcup, Administrative Assistant
Mack Reinwand, City Attorney
Jason Alexander, Economic Development Director
Shea Rodgers, Technology Services Manager
Cody Collier, Public Works Director
Mike Brownlee, City Engineer
Curtis Birt, Fire Chief LCFD
Chris Rodriguez, Financial Services Manager
Caryn Riggs, Assistant Finance Director
Guadalupe Ruiz, Human Resource Director
Elaine Herzog, Business Manager

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE:

Mayor Heidemann called the meeting to order at 7:03 p.m.

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 July 7, 2016 Workshop Session.

2. Consider and act on minutes from the July 7, 2016 Regular Session.
3. Consider and act on the fiscal year 2016-2017 Proposed Budget for the City of Corinth Crime Control and Prevention District.
4. Consider and act on the acceptance of BlueCross BlueShield of Texas' proposal for employee medical insurance benefits for FY 2016-2017, and authorization for the City Manager to execute any necessary documents.
5. Consider and act on the acceptance of UNUM/United Concordia's proposal for employee dental insurance benefits for FY 2016-2017, and authorization for the City Manager to execute any necessary documents.
6. Consider and act on a Resolution approving the "DRAFT" Denco Area 9-1-1 District Fiscal Year 2017 Financial Plan.

Councilmember Glockel - pulled item #6 for discussion.

All the pages are not there and it is incomplete. It goes from section 3 page 1 to section 3 page 8.

MOTION made by Councilmember Glockel to accept the Denco Area 9-1-1 District Fiscal Year 2017 Financial Plan and add pages 3-2 to 3-7 in the packet. Seconded by Councilmember Harrison.

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

MOTION CARRIED

MOTION made by Councilmember Johnson to approve items 1-5 of the Consent Agenda. Seconded by Councilmember Harrison.

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

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.

Kurt Hyde, 2701 Yellowstone Park Lane – I was here about two months ago and I handed each of you a letter

and I have the same letter again tonight making the same request. The request is that the comprehensive financial report have a couple of things added. 1 a list of all vehicles purchased or leased by the City of Corinth, the list would be grouped by department with the description of the vehicle, date acquired, purchase price, or annual lease cost, annual cost of insurance, expected retirement date and expected residual value. 2 a list of all city employees and salaries. This list would be grouped by department and include a job title, annual salary or hourly wage, previous years W-2 total wages and the salary range for that position. The reason why I am asking for this to be in the report is we list some of this but not all of it. This is the kind of information that the tax payers need to make intelligent decisions regarding whether or not they approve of what the city is doing with the budget and with their money.

Our acting City Manager had said we don't need to do this because we already do it well the answer is no some of things you do but not all of them. There are some items on here that are not made public and not published on the web or any other place. To add that information that we are currently not publishing but should and to put it in an understandable format because that's how people go about making decisions and makes it easier for them.

Mayor Heidemann recessed the regular meeting at 7:12 p.m. *See Closed Session.

Mayor Heidemann reconvened the regular meeting at 7:48 p.m.

BUSINESS AGENDA

7. Consider and act on an ordinance of the City of Corinth, amending Title III Administration, Chapter 34 Personnel Policy of the Code of Ordinances; providing for repeal; and providing a severability clause and an effective date.

MOTION made by Councilmember Harrison to approve the Ordinance amending Title III Administration, Chapter 34 Personnel Policy of the Code of Ordinances. Seconded by Councilmember Burke.

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

MOTION CARRIED

8. Consider and act on an Ordinance for the City of Corinth ordering a Special Election to be held on November 8, 2016 allowing voters to determine the reauthorization and levy of a sales and use tax for street maintenance; as well as designating a polling place, providing for notice, providing for early voting, and providing an effective date.

MOTION made By Councilmember Garber to approve the Ordinance ordering a Special Election to be held on November 8, 2016 allowing voters to determine the reauthorization and levy of a sales and use tax for street maintenance; as well as designating a polling place, providing for notice, providing for early voting, and providing an effective date. Seconded by Councilmember Harrison.

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

MOTION CARRIED

9. Consider and act on the appointment of Greg Bertrand as Municipal Judge for the City of Corinth Municipal Court of Record.

MOTION made by Councilmember Burke to appoint Greg Bertrand as Municipal Judge for the City of Corinth Municipal Court of Record. Seconded by Councilmember Garber.

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

MOTION CARRIED

10. Consider accepting the submission of the effective tax rate calculation of \$0.54348 per \$100 assessed valuation and a rollback tax rate of \$0.58194 per \$100 assessed valuation for the fiscal year beginning October 1, 2016 and ending September 30, 2017.

MOTION made by Councilmember Garber to accept the submission of the effective tax rate calculation of \$0.54348 per \$100 assessed valuation and a rollback tax rate of \$0.58194 per \$100 assessed valuation for the fiscal year beginning October 1, 2016 and ending September 30, 2017. Seconded by Councilmember Harrison.

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

MOTION CARRIED

11. Consider approval of a resolution of the City Council of the City of Corinth, Texas placing a proposal on the September 15, 2016 City Council Public Meeting Agenda to adopt a 2016 tax rate that will exceed the lower of the rollback rate or effective tax rate; calling two public hearings on a tax increase to be held on August 18, 2016, and September 1, 2016; requiring publication of a *Notice of 2016 Tax Year Proposed Property Tax Rate* in accordance with the law; and providing an effective date.

MOTION made by Councilmember Harrison to approve the resolution of the City Council of the City of Corinth, Texas placing a proposal on the September 15, 2016 City Council Public Meeting Agenda to adopt a 2016 tax rate that will exceed the lower of the rollback rate or effective tax rate; calling two public hearings on a tax increase to be held on August 18, 2016, and September 1, 2016; requiring publication of a *Notice of 2016 Tax Year Proposed Property Tax Rate* in accordance with the law; and providing an effective date. Seconded by Councilmember Garber.

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

MOTION CARRIED

12. Consider and Act on a Resolution of the City of Corinth, Texas finding that a public necessity exists to acquire real property in fee for rights-of-way, permanent drainage easements and temporary

construction easements for the public purpose of construction of Lake Sharon Drive Extension between Oakmont Drive and Future FM 2499 and authorizing the filing of Eminent Domain Proceedings for the purpose of obtaining these rights-of-way, permanent drainage easements and temporary construction easements for use by the City for this construction of Lake Sharon Drive Extension.

MOTION made by Councilmember Burke that the City of Corinth authorize the use of the power of eminent domain to acquire the following property:

1. Fee Title to a 0.895 Acre Parcel
2. Fee Title to a 1.597 Acre Parcel
3. Permanent Drainage Easement – 0.091 Acres
4. Permanent Drainage Easement – 0.332 Acres
5. Permanent Drainage Easement – 0.193 Acres
6. Permanent Drainage Easement – 0.134 Acres
7. Permanent Drainage Easement – 0.046 Acres
8. Temporary Construction Easement – 0.163 Acres
- 9 Temporary Construction Easement – 0.052 Acres
10. Temporary Construction Easement – 0.152 Acres
11. Temporary Construction Easement – 0.308 Acres
12. Temporary Construction Easement – 0.668 Acres
13. Temporary Construction Easement – 0.401 Acres

Out of a called 41.272 acre tract of land situated in the B Merchant Survey, Abstract No. 800, City of Corinth, Denton County, Texas, described as Tract 1 in a deed to Endeavor Energy Resources, L.P., recorded in Document No. 2007-34656 of the Real Property Records of Denton County, Texas for the construction and maintenance of roadway and associated drainage improvements for the Lake Sharon Drive extension between Oakmont Drive and the Future FM 2499 project, and further move to approve the Resolution as presented. Seconded by Councilmember Harrison.

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

MOTION CARRIED

Mayor Heidemann recessed the regular meeting at 8:01 p.m. * See Executive Session.

CLOSED SESSION

The City Council will convene in such 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. (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.

Council met in Executive Session from 8:03 p.m. until 8:50 p.m.

- a. Amendments to the Northwood Home Owners Association Encroachment agreement.**
- b. Interlocal Agreement for fire services.**

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.

Council met in Executive Session from 7:13 p.m. until 7:47 p.m.

- a. Acquisition of two (2) fee parcels for right-of-way, five (5) permanent drainage easements and six (6) temporary construction easements out of a called 41.272 acre tract of land situated in the B. Merchant Survey, Abstract No. 800, City of Corinth for the construction of the Lake Sharon Drive Extension between Oakmont Drive and future FM 2499.**

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.

- a. 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.

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

Mayor Heidemann reconvened the regular meeting at 8:51 p.m.

There was no action from Executive Session.

ADJOURN

Mayor Heidemann adjourned the meeting at 9:00 p.m.

AYES: All

Meeting adjourned.