

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

On this the 3rd day of March 2016 the City Council of the City of Corinth, Texas met in a Workshop 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
Don Glockel
Sam Burke
Lowell Johnson

Members Absent:

None

Staff Members Present:

Lee Ann Bunselmeyer, Acting City Manager
Fred Gibbs, Director of Planning and Development Services
Kim Pence, City Secretary
Debra Drayovitch, City Attorney
Cody Collier, Acting Director of Public Works
Curtis Birt, Fire Chief
Chief Walthall, Police Chief
Alan Upchurch, City Engineer
Lori Levy, Senior Planner
Shea Rodgers, Technology Services Manager

CALL TO ORDER FOR WORKSHOP:

Mayor Heidemann called the meeting to order at 5:30 pm.

1. Discuss Regular Meeting Items on Regular Session Agenda, including the consideration of executive session items as set forth in the Executive Session agenda items below.

Mayor Heidemann - Item #1 on the Regular agenda we're going to need to pull, they're not going to be here tonight.

Business Item #5

Councilmember Glockel – Is there 86 or 81 residential lots?

Fred Gibbs, Director of Planning and Development Services – Originally it was 81 and it went to 86. It was approved last year with a zoning change, they had to come in and do a major waiver to bring the sewer to the property. Our ordinance requires it to be platted before they can do work on the property, they're not plotting the commercial lot, that's where the sewer is coming through.

Councilmember Glockel – I couldn't put the pieces together in the "background" section.

Fred Gibbs, Director of Planning and Development Services – There's also a park land dedication lot in there too that may not be listed in the "background". There's a commercial lot, a single family lot, and there's also an open space lot which has some drainage that's drains down 2181.

Councilmember Harrison – I counted 86 on that page.

Fred Gibbs, Director of Planning and Development Services – There's an HOA lot of 1.5 acres, then a commercial lot, and then they have 86 lots.

Councilmember Glockel – The part that's confusing is it starts out and says it's 86 lots, then it says what was approved was 81 lots.

Fred Gibbs, Director of Planning and Development Services – Originally when they first came, they did 81 lots, they came and changed it to 86 lots. They originally had 81 lots when it was approved but the ordinance allows us to use our discretionary to increase to 86. It's supposed to be 86 lots.

Councilmember Johnson – So once they're done laying that sewer line, they're going to come back and plat the rest of what's not platted?

Fred Gibbs, Director of Planning and Development Services – Yes, once they get this waiver done, they've already platted and they are ready to go after this. This is the last step for them.

Business Item #6

Councilmember Burke – Would this authorization be just for this specific contract that's attached?

Debra Drayovitch, City Attorney – Yes, sir.

Councilmember Burke – Without any changes.

Debra Drayovitch, City Attorney – Yes, sir.

Councilmember Burke – It doesn't provide at this point for any contingencies with regard to access through or the back half of that property?

Lee Ann Bunselmeyer, Acting City Manager – Correct.

Councilmember Burke – Or to be committed by front half no matter what we worked out on the back half.

Lee Ann Bunselmeyer, Acting City Manager – Correct. We're still discussing the back half and so that will come to Council at a later date.

Councilmember Burke – It also does not include any right of Co-Serv to have access across our lot?

Lee Ann Bunselmeyer, Acting City Manager – Correct.

Councilmember Burke – If they want that we still have some leverage to work all that out.

Lee Ann Bunselmeyer, Acting City Manager – Correct.

2. Receive a presentation, hold a discussion and provide staff direction regarding traffic related issues at The Parks of Corinth and Parkside Farms Subdivision.

Lee Ann Bunselmeyer, Acting City Manager – At the last Council meeting we had several residents that expressed concerns about increased traffic and traffic speed in their subdivision and also some issues associated with the developer of that area. Since then we have had the Police Department do a direct patrol to the neighborhood and we also put traffic and speed counters in the subdivision. At this time, Cody Collier is going to come and give a brief presentation on the information that he has discovered and maybe some recommendations. Then Fred Gibbs is going to provide a very quick overview of conversations with the developer.

Cody Collier, Acting Director of Public Works – It was brought to our attention that there was an excess amount of traffic going through the Parks of Corinth particularly Park Place. I prepared a couple of slides that illustrate what I think we're seeing that's happening out there. Right now, Shady Rest Lane is going to be the access route for getting to Corinth Parkway. What apparently is happening for the residents of Park Place is they've been reporting and increase in the amount of traffic that is apparently coming down Bonanza and coming down Park Place to Corinth Parkway. At their request, we went out and set up some traffic counters, along Park Place at two locations, and monitor traffic for a week. We set it on Thursday, February 25th and we removed them March 2nd.

This next slide is illustrating what the City has done in anticipation for traffic trying to detour in route. When the Post Oak overpass was removed, we set some detour signs at several locations hoping as traffic would come to the community they would see these and be directed around and avoiding all residential areas, those signs are still up in place now. That's not what's happening, residents in this area coming from this direction are still trying come this direction to reach the parkway. Instead of using Shady Rest to access the parkway, they are still using a bypass. The only explanation I can provide you is to why that would be happening is, vehicles are traveling this route, simply to avoid the speed cushions. This route would be a shorter faster route to travel, there is no benefit to cutting over coming through a residential neighborhood. The only thing I can see that would cause people to want to take that route and go through a residential neighborhood to avoid speed cushion that are on Shady Rest.

The week that we had the traffic count set, the southbound portion reached an average of 85th percentile speed of 33 MPH. That's a residential neighborhood with a posted speed limit of 30 MPH. The northbound side was slower the average 85th percentile was 25 MPH. The 85th percentile was the standard speed set to take away your outliers, the far extremes, if someone is driving 10 MPH or 50 MPH, you remove the few exceptions. The total vehicle count for that week on the southbound side was 1381, the average on weekdays was 250 per day and on the weekend was reduced to 135 vehicles per day. On the northbound side 85th percentile speed was 25 MPH with a little over 2000 vehicles per day, the average weekday was 270 and the average weekend was 233. The police had an officer go out and shoot radar on that road, for a day and the highest speed was 28 MPH.

People are driving at or below the posted speed limit. The significant traffic increase that has been reported, the only conclusion I can come to why people would want to detour through a residential neighborhood is simply to avoid the speed cushions. There are also "no truck" signs that are placed on Shady Rest Lane, I know some of the concern was that there was an increase in truck traffic that is coming though the subdivision. Some of it is going to have to remain while the subdivision is being constructed. If we remove the "no truck" signs that might help decrease in case someone wants to come in this direction instead of coming back this way. Those are the two options we could look at, that could be discussed for taking care of the increased traffic volume cutting through the Parks of Corinth subdivision.

Councilmember Burke – Do we have any idea what the traffic count was before Post Oak shut down?

Cody Collier, Acting Director of Public Works – No I do not. I never would have anticipated anyone traveling through this subdivision to access the cut through the Corinth Parkway. I had no anticipation to put out traffic counters there.

At this time an unknown citizen spoke. He stated that there hadn't been roads over there, that it was a dead end until recently when they developed the area and poured concrete roads. Now people can drive through there.

Mayor Heidemann – If you want to speak, you fill out a sheet with your name and where you live.

Councilmember Harrison – On the thing that we don't have a traffic count to start off with, what would you anticipate that the traffic count was prior to this based off the number of houses that's in the Parks of Corinth? Is there 50 homes and you figure an average traffic count is 6 per day, would that give you approximately the number of figures that normally had prior to this?

Cody Collier, Acting Director of Public Works – That's exactly how I would figure it out. I wouldn't have thought this number would be much lower than it was, for the increased volume, I expected these numbers to be much higher than what I saw. If you take the average home and put two vehicles on it, for the Parks of Corinth, traveling in and out, the traffic count was about where I expected it to be without understanding that people were using it as a cut through.

Councilmember Burke – Where were the traffic counters again?

Cody Collier, Acting Director of Public Works – Looking at Park Place, we had one here and the other one was there.

Jim Walls, 1404 Park Place – I can show you where they were placed. One was set here and the southbound one was here. There was no ability to come around the corner and speed up. By the time they hit here, it's not 33 MPH. There are other people sitting around the room shaking their head yes. The reason we have said there was a large amount of increased traffic, in our subdivision, this road was closed off so you could only come in here and here. Two ways in and two ways out, you couldn't go all the way through. The capacity was maybe 30 cars in a day.

Councilmember Glockel – The time frame in which you put the counters, probably a week after Shady Shores was open, if it was prior to Shady Shores opening then you would have a lot more traffic coming through there at that period because they were forced to come over and pick up Walton or cut through the subdivision. With Shady Shores now open that should alleviate a little bit of that traffic going back down the backside.

Jim Walls, 1404 Park Place – I have one more thing, we know the people that own the longhorns up on Fritz Lane, I actually saw him come up and down our street 6 times in a half an hour, we were out trimming our crepe myrtles, so now not just the people over here but other people using our street as a cut through going down Shady Rest.

Councilmember Harrison – City Attorney, Police Chief in his instance he was talking about an individual on Fritz Lane, is there anything that you can tell him not to come down that street?

Debra Walthall, Police Chief – No sir, it's a public street.

Juan Elivencia, 1403 Park Place – I am the second house from the corner, I have seen people coming through here and avoiding running over the traffic things. Avoiding that probably because they know that there is something going on. The same thing on going down here, sometimes people park cars on the street in the afternoons and they have to come out to the left so they don't hit the track. I work from home 100% of the time, around 2:15 in the afternoon this is a freeway. I have mentioned that to the community

patrol folks. These Moms trying to speed as fast as they can to go and get their kids and the bus has already unloaded right here. We have a lot of kids going by themselves and then the traffic is very heavy, then around 6:30, the same thing, 8:00 9:15 before 9:15 it's very busy. I wish there was a least one stop sign here. I know that is impossible to keep people from coming in, it's a public road. We have made them difficult through here, no trucks, and speed bumps. Here is a freeway, they don't have to put their brakes until they come here to a stop sign. We have this intersection here that people turns in there like there's nobody's business. Just go ahead and park a car here that is not a police car because when the police are there you can see everybody is very good. When they are not, they are turning in here like there's nobody's business. There is no stop, the stop is ignored when they come in this direction and you can hear there is no stopping here either. All the traffic is coming through here because over here they make their life a little inconvenient for them. Perhaps we need to make them inconvenient on our side, put some speed bumps and put some stop signs and see where that's going to go.

Councilmember Harrison – I think there is a stop sign at the bend near your house, isn't there?

Juan Elivencia, 1403 Park Place - Yes, there.

Councilmember Harrison - So you're suggesting is to put another stop sign there to stop it in front of the house that's part of your neighborhood that goes over to there? Is that what you're saying?

Juan Elivencia, 1403 Park Place – I'm saying if they could go somewhere else at this point try to make them uncomfortable. Put a stop sign in there and another one on the other corner on the other street.

Sharon Patrick, 3710 Parkwood Court – I'm wondering no one's mentioned it, I see it as the biggest problem other than just car traffic is the trucks, construction trucks going through our neighborhood. It's the only way they can go cause you have put up several "no trucks" signs on Shady Rest, so there is no way to get to over there on Fritz Lane where Corinth Farms is except to go through our area. Today, there was at least 10 cement trucks go by my house, I live right there at the corner of Park Place and Parkwood Ct. They are not going slow either, so there is really no way to get to where they want to go up there in Corinth Farms other than that way. If you remove the signs on Shady Rest Road, which is a common road, it's not a residential road, remove the speed bumps and put them on our street, on Park Place then we wouldn't have a lot of these problems that are coming up. We may have increased car traffic, I'd much rather have increased car traffic than all of the construction traffic that's going through. They're going to build 80 homes in there and they're just getting started with it so it fluctuates one week you'll have almost no traffic, the next week you'll have trucks going up and down there like crazy and fast.

Councilmember Burke – When Corinth Farms development was approved did they provide a construction route? Is that part of our process?

Fred Gibbs, Director of Planning and Development Services – On the Parkside Farms subdivision? No.

Jim Walls, 1404 Park Place - There was discussions that they were told not to go down our street when that was going through.

Councilmember Burke – But there's not anything that's part of their approval process that required them to plan a route for construction traffic?

Fred Gibbs, Director of Planning and Development Services – No, they constructed the road from Fritz and they access it from Fritz down into their subdivision.

Councilmember Burke – What was the thought process about no truck traffic on Shady Rest? Is it a capacity problem? Safety issue?

Fred Gibbs, Director of Planning and Development Services- When they did the original design of Shady Rest, they had “no truck” signs in the plans and I think they were existing. Actually, Cody could probably be able to shed a little more light as to why they are there, they were there before the construction of that road.

Cody Collier, Acting Director of Public Works – About two years ago we received a map where we were requested to put up “no truck” signs, there were about 36 of them. We went out and placed them throughout town according to the map, with the location of the truck signs so they could be enforced. Shady Rest was one of the streets that we were asked to place them. Since that time the condition of Shady Rest has changed I don’t see why we couldn’t remove them.

Councilmember Burke – You say you were asked was that a Council action?

Cody Collier, Acting Director of Public Works – At the time, Justin Brown was the Public Works Director and my understanding was that map and listing came from the Police Department for the locations.

Debra Walthall, Police Chief – It was something my Assistant Chief worked on, him and Justin worked on together for some of the more highly traveled narrow streets and things throughout the community. I don’t recall there being a Council action on it because Justin had the authority to put the signs there.

Councilmember Burke – And you all did a study and the best information available at the time was it was that it would be good to prevent truck traffic there?

Debra Walthall, Police Chief – Yes.

Councilmember Burke – Circumstances may have changed?

Debra Walthall, Police Chief – The condition of Shady Rest at the time was a narrow lane with no shoulders. Large trees on the side of it. So we were trying to prevent trucks from going in that area.

Councilmember Burke – So there’s pretty good reasons for doing that at that time.

Debra Walthall, Police Chief – Cody and I discussed that, now the condition of the road is such that it could handle the higher traffic load and the trucks coming through there.

Cody Collier, Acting Director of Public Works - The design of the pavement also was a factor and now it has concrete 8” thick it can support a truckload.

Chris Wendt, Shady Rest Lane – I feel these guys pain absolutely 100%. We have the speed bumps and we still guys 50-55 MPH down our road. Just this weekend I had a guy almost hit my son who was doing 50 MPH down Shady Rest Lane and I got in my truck and met him at the stop sign. His words to me was “F off, I’m running late”. This is a daily occurrence down my street too, just the same as your street. What a correction I’d like to make is something that she said, I hear it way too often, my street is a neighborhood too, there might not be as many houses but there are people that live on that street that have kids as well. We have “no truck” signs absolutely maybe they need them too, maybe they need the speed bumps too, because we’ve had an influx of homes over in Pecan Reserves. When you come down their street, what’s directly across the street on that green line? It’s the entrance into the ballpark. How many people are cutting through there now because they don’t have to take a left or take a right from Shady Rest Lane and try to get that mess with everyone coming down Shady Rest Lane? That’s something else too that you have to look at, so that could be a cause of the influx of traffic down there. But I’m dealing with it too, we deal with it every day. I would like to see an increase of patrol in our neighborhoods and no disrespect but I very rarely see you guys over in my neighborhood. It’s very seldom, one of the

questions I'd like to ask you is you said you have a police officer out there, they were doing radar, what time of day were they doing it?

Debra Walthall, Police Chief – We document those and do them at various times of the day, we can't sit out there all day so we try to hit morning, evening.

Chris Wendt, Shady Rest Lane – As someone who lives in that area, this is no new surprise. Everyone in this room has complained about it. Even everybody on my street. I can tell you right now I very seldom see a police officer out there between the hours of 5-6, 5-7 when people are getting off of work. Or in the mornings on the way to work.

Debra Walthall, Police Chief – Not to make excuses to you sir, but those hours of the day are when we are usually working traffic accidents up on 35 and Swisher Road.

Chris Wendt, Shady Rest Lane – That's the point I'm trying to make, maybe we need some more help and we need some more police officers. That's all I'm saying. I'm not saying you're doing a horrible job, I appreciate everything you guys do, but maybe we need a couple more to help out in the neighborhoods. The city is growing, getting bigger and bigger and bigger. Maybe we need a couple more police officers to help us out. The problems that they're having we're having too, if you remove our speed bumps we're back to where we were. I get guys in pick-ups that come down through there, they think they're ramps. I want you to know even if you get those, you're still going to have, it's going to stop a lot of it, trust me, it's stopped 80% on my road, but you still have the 20% that thinks now that it's wider there's no trees to smash their vehicles, they hall butt down through there, every day.

Corinth Resident – I think our concern is that our homes are set back 30-40 ft. from the street where as the ones....

Chris Wendt, Shady Rest Lane – My kids still play next to the street just like yours.

Corinth Resident – I agree, but our streets not as wide either.

Tom Weller, 1405 Park Place - I'm a VIPS volunteer with Corinth Police Department. VIPS is "Volunteer in Police Service", I operate a police unit #443, I'm usually with a partner when we go out and we have been trying to help out. Park Place, we have gone down Park Place and just parked on the side of the road and watched these people come around the stop sign and the 1st thing they do is slam on their brakes. So they do go pretty fast down our street, I can work with the Chief and let her know we can start going down your street and just set there at the side and watch these people zip on by, the 1st thing they do is slam on their brakes, we can't be there all the time like the police officers. We do some of the things the police officers normally do, like checking vacation homes, special patrols, that way the officers can do other calls. We can open up our program, the VIPS program, if you like and maybe go out in some of these areas and park for a while and slow traffic down. We can do that. We can work with the Chief and Asst. Chief and maybe do more. I'm in the process right now with another VIPS volunteer, we're training more people that's going through the CPA which is your Citizens Police Academy, and they are also going through VIPS training, which I have gone through, and training on the police unit. Right now we are in the process of training 8 more people and so once they get trained, get their 40 hours and get fully trained on the police unit, they can go out. We got more people going out, we can go to these areas and just park there and slow traffic down if that would help. Again, it's just certain times of the day and we are volunteers, we don't get paid for this. Maybe we could open up the program more. That is true, when they go down Park Place, the 1st thing we see when we're parked on the side, they start slamming on their brakes. I don't know where they get these numbers and speed limits, but they do speed down that street. When they see us parked on the side, there goes the front end. The VIPS program may be able to open up more people, get another unit out. We just have one police unit, the other one is supposed to be ready pretty soon in the future so we can have two units out. That's four people out there.

We have to have an operator in the unit and someone to operate the computer. We can open up and do more, just give us time.

Juan Elivencia, 1403 Park Place – I want to add something else. I agree with the gentlemen here, I get tired of my desk and go around and walk probably in front of his house doing the walk around our neighborhood. Yes, I have seen people come through there hitting those bumps like they're ramps. He's exactly right, they're cruising through ours whether perhaps it's the youth in the area, because I doubt seeing adults doing this. I took a picture of someone that did it repeatedly 3 times coming down this street. I have not seen that lady coming back anymore. I understand it's impossible to have a police officer, perhaps we need to leverage technology. To help us deal with this scenario. The city is growing and that may be an opportunity to use technology to deter excessive use of speeding in our streets. Especially in our neighborhood. The city has grown into these areas that's generating the traffic, we're going to have to cope with it.

Sharon Patrick, Parkwood Court – I'd just like to add that I'd like to request some "no trucks" signs and a stop sign or two on Parkwood Place in addition to what we have.

Karen McGuire, Lakewood Village, Little Elm – I'm here for another reason. I just wanted to interject two thoughts and one would be to the Police Chief, is there any way that you can get the Texas State Troopers to offer mutual aid during those prime time's so that you have more of your officers on the streets in these subdivisions?

Debra Walthall, Police Chief – Technically they don't come to help unless we call for assistance and usually those help if we have a fatality accident or what we believe is going to be a fatality accident. They would not just do speed control for our city.

Karen McGuire, Lakewood Village, Little Elm – Secondly, I know in Little Elm the Police Department out there, because they've opened up Eldorado Parkway where there's 3 lanes all the way through, they actually have put some of their squad cars strategically in different places with nobody in it, but initially, people didn't know that so they were obviously slowing down and maintaining their proper speed all the way through. I don't know if you have any extra squad cars, perhaps you could do that for a period of time.

Debra Walthall, Police Chief – We don't have any extra squad cars. Most of the time they strip those down, that's a striped down car that they aren't putting in service every day, you wouldn't want to put our cars that have all the equipment on it out there to help control speed.

Councilmember Garber – Cody, what was the maximum speed you saw going up and down the street in either direction?

Cody Collier, Acting Director of Public Works – The traffic counter wound up just giving me all I had was the median to median speeds on it. The maximum speed I saw was 39 MPH was the fastest speed it recorded.

Councilmember Garber – That was going north or south?

Cody Collier, Acting Director of Public Works - That was southbound.

Councilmember Garber – So they got up to 39 MPH on the bend?

Cody Collier, Acting Director of Public Work - Yes.

Councilmember Garber – That's like 3 houses. Question #2 is, can we just put stop signs in neighborhoods like that?

Cody Collier, Acting Director of Public Work – No, you can't. Actually the state says the regulations for using them, the main order for traffic control devices states that "stop signs shall not be used as speed control devices". So to install one you actually have to have a warrant study and it's for traffic use for an intersection. If any intention is to install a stop sign for sole purpose of controlling speed, you can't do it.

Councilmember Garber - Is it possible, I know that area is an HOA, for and HOA to do things maybe not stop signs, are there options open to an HOA that wouldn't be subject to city? Or is it all subject to city and we're subject to state?

Cody Collier, Acting Director of Public Works -That is correct. The only thing I've seen HOA's do, but they have to do it in their own property, it cannot be on the street and it cannot interfere with traffic, you might have seen them, little cardboard cut outs of kids. Put those in your front yard. You can't put anything in the street to try to govern or control traffic.

Councilmember Garber – My third and final question is, we have a master plan for the roads in Corinth, which one of these roads is designed to take the traffic?

Cody Collier, Acting Director of Public Works -Shady Rest.

Councilmember Garber – So if Shady Rest is designed to take the traffic, how much more traffic it is designed to take than a neighborhood? What do they call that road vs the neighborhood road?

Cody Collier, Acting Director of Public Works -A collector vs a residential street.

Corinth Resident - I thought we were told our road wasn't a collector when you guys were wanting to put the road in.

Councilmember Harrison – I think it was designed originally as a collector. Then in the last year when you got into this, the collector was changed to a semi-partly collector. We took the passing lane out of the three lanes on the collector and made it 4 ft. wider on each lane. I think it was modified as a result from comments from citizens on Shady Rest.

Corinth Resident – Do we know, Cody, when it got turned into a collector road?

Cody Collier, Acting Director of Public Works - The original design was supposed to a collector, that's what was my understanding. I know they reduced the scope of the road, they wound up making it a little narrower than the original intent was. By the design of the road, the location of it, the width, how straight it is and the fact that you do have some residential homes here, it is different. The capacity expectation would be of a higher volume of traffic and you would get through an actual residential subdivision, it's just by nature you would expect more traffic.

Councilmember Johnson – My comment and question for Fred, the comment is like Meadowview. Fred, have you talked to the people that are building over there to see what they can do to help alleviate some of the traffic issues like pulling them off of Fritz, having their people come in on Fritz instead of coming through the neighborhood? Trucks out the other way.

Fred Gibbs, Director of Planning and Development Services – Yes, we reached out to the developer and expressed our concerns after hearing all those comments at the Council meeting last Thursday night. The next day, me and Alan got on the phone with the developer and did talk to him and expressed that whatever you can do to route your trucks not through that subdivision, go a different route would be highly appreciated and we did express our concerns with that to them the day after the residents came out.

Corinth Resident – You’re considering that like Meadowview though, doesn’t Meadowview have stop signs?

Councilmember Johnson – Not any more, we pulled them all out. There’s one at Tower Ridge and then they took the ones out at Fairview and Meadowview by the school. Then there’s Tower Ridge, and the next set of stop sign is at Parkridge, a collector, the next one is at Post Oak. They took all those out between Parkridge and Post Oak, they pulled them all out to meet uniform traffic code if I remember correctly.

Fred Gibbs, Director of Planning and Development Services – It’s been a collector for a long time, it’s been back when they built Weir Estates on the east side of Shady Rest. They dedicated enough for a collector road.

Corinth Resident - Every meeting I’ve been to we were all told that was not a collector road. Every single meeting, so, that’s news to me. I went to a lot of those meetings for the road I live on.

Councilmember Harrison – To me there’s a question about temporary signage, stop signage, increased police traffic, presence. Send a letter to the developer giving them our suggested route of construction traffic coming down Shady Rest and over to Fritz Lane and come back through the north rather than from the south. They brought up the speed bump thing, there’s nothing that precludes you putting a speed bump right? I think you’d have to have a traffic warrant to put the stop signs. I don’t know what else we can do other than put a barrier up.

Mayor Heidemann – Cody, can we put signs up there “children playing” or anything like that to warn drivers that there are children playing in the area?

Sharon Patrick, Parkwood Court – We have a sign that says deaf child sign, it doesn’t make any difference. What we really need is the “no truck” sign.

Corinth Resident - People are driving too fast to pay attention to signs.

Corinth Resident – Can I ask what the width difference is on the street between Shady Rest and Park Place?

Alan Upchurch, City Engineer – 31’, Shady Rest is 31’ and the residents is 31’ also.

Corinth Resident – Ours is 26’ because I measured it.

Alan Upchurch, City Engineer – I don’t know what your standard street measurement is but that’s 31’.

Fred Gibbs, Director of Planning and Development Services - It depends when your subdivision was built. Typically they’re all 31’ with a 50’ ROW. Back to curb to back to curb is 31’.

Corinth Resident – Ours is 26’.

Councilmember Harrison – If you’re going to suggest that construction traffic to go Shady Rest or however else you want to get over there, you don’t want them to go to Shady Shores and come back through whatever Shady Rest comes out to in Shady Shores. That would just create more problems for the north.

Sharon Patrick, Parkwood Court – Right there at Shady Shores where it goes into the Oaks of Corinth, there’s a “no truck” sign right there.

Corinth Resident – Can I offer one thing please? You all are talking to the developer, I’m a sales rep for building materials, what they’re doing is what I’m doing every day and I travel every subdivision in the Metroplex. The building back there is Harwood Homes which is 1st Texas Homes, it’s their upper end. We need to be reaching out to the builder, not the developer. We’ve already tried to do that with the developer, I was at the city meetings, and he went silent on us. I’ve received emails from my builders on “this is not a construction entrance” because there’s a lot of phase 2’s and phase 3’s in the subdivisions. We all as contractors will receive these emails that Park Place is not a construction entrance, there will be a sign sitting by our entrance “not a construction entrance”. I guess I don’t understand why we haven’t tried to reach out to the builder, because at this point the developer’s job is pretty much done, now it’s the builder. The builder will reach out to all the contractors and tell them that this is not a construction entrance. I live on the corner of Park and Parkwood and I’m an early bird and my office is right there. Those concrete trucks will stop right on our corner and sit there and just turn at 6:30 or 7:00 in the morning. I’m just wondering why we haven’t done that. Or if that’s a suggestion to you all.

Fred Gibbs, Director of Planning and Development Services – We can reach out to them too!

Corinth Resident - I know they’re used to it. The company is 1st Texas Homes, Harwood is upper end.

Fred Gibbs, Director of Planning and Development Services – The developer was the builder and he recently got involved with Harwood now and we can definitely reach out to them, that’s not a problem at all.

Corinth Resident – Thank you so much for reaching out to them, to the developer, for us because a lot of us have tried to get a hold of him, he hasn’t called us back. I’ve actually tried to contract Harwood Homes multiple times and they haven’t called me back. So thank you for doing that, we really do appreciate that.

Fred Gibbs, Director of Planning and Development Services – Sure, no problem, we also told him to reach out to the HOA as well, I know you all had some concerns about the HOA.

Corinth Resident - I’m not going to hold my breath, but thank you.

Mayor Heidemann – I think we have a pretty good idea of what options might be out there for us to explore and what we can do is go back and do some more due diligence on it and reach out to different people and see what we can do. We appreciate your input and we’ll do the best we can under the circumstances.

Corinth Resident - Thank you so much for letting us come in and talk about this, we really do appreciate it.

Councilmember Harrison – Cody, can we put the machines back up there and give us another count where we’re at and what’s going on?

Cody Collier, Acting Director of Public Work - Sure.

Corinth Resident – You’re going to put them back on the road again? Why not split the difference and put them on Shady Rest too?

Councilmember Harrison – ok.

Corinth Resident - There’s a lot of traffic on Shady Rest and the speeders are getting faster because our road is wider now.

Councilmember Garber – Where would you suggest the traffic counter be on?

Corinth Resident – I suggest if be on the middle of the street. I believe that last time you did it, you put it down at the corner of Fritz and Shady Rest lane where people slow down to make the turn. You got to put it somewhere in the middle, in between the speed bumps.

Corinth Resident – I think we would have them the exact opposite from where we had them. I think northbound they were sitting right here, I think northbound would be right here in front of my house. Southbound, probably stick it right down here. Because right about at that point they start slowing down and they're probable at maximum speed. If you could just switch where they were.

Corinth Resident – Can we put them so they go across the entire street? Not just half way?

Cody Collier, Acting Director of Public Works – Yes.

3. Receive a presentation, hold a discussion, and provide staff direction on right of way mowing.

Lee Ann Bunselmeyer, Acting City Manager – We've had several workshops to discuss mowing options throughout the city and the last one that we had, I believe towards the end of last year, Council gave us some direction to come up with some costs of actually doing mowing on some of the major thoroughfares.

Cody has a presentation to walk Council through what those additional costs with suggestions that were made to us by the Council.

Cody Collier, Acting Director of Public Works – I'd like to begin first off to explain, for the premises and the requirements by ordinance for mowing and maintaining the property. At this time Cody went over the "City Mowing Discussion" presentation. See presentation.

Councilmember Johnson – That's our contract rate? That \$130,000?

Cody Collier, Acting Director of Public Works – Yes Sir.

Councilmember Johnson – How much would it cost to hire the people to mow the yards and maintain the equipment?

Cody Collier, Acting Director of Public Works - Significantly more.

Councilmember Johnson – That's what I wanted to hear.

Councilmember Harrison – On a fee simple, that's not all the fee simple that's in the City of Corinth, right?

Cody Collier, Acting Director of Public Works - That is correct Sir.

Councilmember Harrison – So the interpretation is that we're going to mow all fee simple pieces of property. You can't do half of them. Those and not do the rest of the fee simple. Is that right or wrong?

Debra Drayovitch, City Attorney – What we've discussed before is the thoroughfares and arterials are the face of the city and to attract businesses and have an orderly beautiful community to attract economic development and business the city could adopt an economic development program and find that portion that Cody is talking about. It's also an option for the EDC.

Councilmember Harrison – Ok, but it didn't answer my question. Do the law state that we will maintain an all fee simple property?

Debra Drayovitch, City Attorney – I would say that the city cannot make an ordinance that requires a property owner to mow property that doesn't belong to them.

Councilmember Burke – Do you mind if I interject? The fee simple means we own it, we can do what we want, mow it or not mow it. There's no rule for the property owner. But we cannot make the property owner mow our property. The easement, when they took it, we didn't pay for it like it was fee simple, we paid a little bit less, like 80%, so the owner still has some right of use to it. We can kick them off our fee simple property, the easement they still have some right, they can kick a ball on it, put a sprinkler on it. They may have some obligation to maintain it. Does that clear it up?

Councilmember Harrison – I'm just trying to figure out, if we have to mow a fee simple, if my property is fee simple.

Councilmember Burke – It's not your property.

Councilmember Harrison – If it's the property in front of my house, that I'm currently maintaining, is fee simple then the city needs to maintain it.

Councilmember Burke – You've got it backwards. When we talk about fee simple in this discussion, we're talking about fee simple owned by the city. Not fee simple owned by the property owner.

Councilmember Harrison - Ok, flip over to Pecan Creek Cr. That piece right there and its fee simple and we maintain it. The HOA maintains it.

Councilmember Burke – The fee simple then probably does not extend beyond the curb.

Councilmember Harrison – All I'm getting to is either we do all of it or we don't do it, if it's fee simple it's our property and we have to maintain it, right? That's what we said.

Councilmember Burke – We can decide to maintain parts of it.....

Councilmember Harrison – So we can pick out what we want to do and not do?

Councilmember Burke – Yes, that's what ownership is.

Mayor Heidemann – I think what the City Attorney is what we agreed to because the connector roads and the highly visible areas that come into the city, we wanted to maintain those and that's why we were looking at doing it all.

Councilmember Burke – It's just like at your house, if you decide you want to maintain its value, you mow the front yard first, the part in the back the neighbors aren't going to see you might not get to that as often. We want our front yard to be nice and maybe our backyard won't be as easily kept. We may pay enough to do this, that's a city staff person, you can compare it to that cost. If we do this are we going to recover this and increase property values, better development, etc. and in your front yard, probably so. In your back yard, probably not. I don't think it's an issue that we're not being fair to other people. We bought it from them, we can mow it or not mow it or mow it however we want.

Councilmember Glockel – When we got into discussion, the discussion as I recall it. We wanted to look at, I think your map depicts this, the faster traffic, the thoroughfares, because of the hazards that's generated with the faster traffic asking citizens to come and mow it and you're trying to edge down a curb with cars zipping by you and they will not move over to the other lane. We talked about faster traffic being the hazard that we felt there was a liability involved and maybe we ought to look at first thoroughfares because of the speed, that's how I recall it.

Councilmember Burke – I may not have been here when you first started this.

Councilmember Glockel – This started some time ago.

Debra Drayovitch, City Attorney – It started in May or June about a year ago.

Councilmember Harrison – Going along with that definition, if we just finished an hour and something talking about Shady Rest, is that property fee simple? Along Shady Rest? We're going to maintain it, right?

Cody Collier, Acting Director of Public Works - You probably will not maintain it.

Councilmember Harrison – They're going to maintain it or we're going to maintain it?

Alan Upchurch, City Engineer – They will probably maintain it. The majority of the houses that have their front yards, I think that's the distinction that's trying to be made here, they have a front yard that the property owner is typically going to maintain their front yard certainly in the Shady Rest addition. Just like the Corinth Parkway development just to the east, those properties are going to maintain their front yard, those indicated parkways or dedicated.

Fred Gibbs, Director of Planning and Development Services – I think where it gets a little bit tricky is when you write a citation in those areas, if Code Enforcement writes a ticket in a fee simple area, you write the property owner, but it ends up being city owned property. At that point it becomes hard to justify it in the Municipal Court, because now you wrote a ticket that is on city property.

Debra Drayovitch, City Attorney – There are actually two states, Illinois and California that do place that responsibility on the property owner, its state law. That's not the case in Texas. TML has written about it and I think I've provided it to you all.

Mayor Heidemann – If you were to go back to your original landscaper that does your maintenance on this and you add this additional area, is there any more efficiencies you'll gain from that? Rather than now they go down the street and stop and go to the next one, whereas you went all the way down. Would there be some efficiencies gained by that?

Cody Collier, Acting Director of Public Works – Efficiencies as in cost savings? They have a flat rate, it's .02 ¼ a square yard and they haven't increased or decreased that price, if this was approved, this will be the 3rd time we've added to and they're maintaining that same price, they're just billing for that exact square yardage.

Councilmember Burke – Do I remember right? You said you don't know how they do it for that price?

Councilmember Johnson – There's no way anybody can do it for that price and keep it as good as they keep it.

Councilmember Glockel – You mentioned in the state of Texas you can't have an ordinance of such that says I'm going to mow the city's fee simple, but I can tell you that I, as a citizen, received a letter from the city saying that I would mow their fee simple.

Councilmember Harrison - I think that comes out of the ordinance. It was written in 2007 or whenever it was. We're telling everybody that it's our property and we're telling them they're going to mow it. Mow it, in that ordinance is what we've said.

Councilmember Burke – I'm not arguing about that. I'm not overly concerned that if we mow our property, in some places, and we don't mow it in others would that create some slippery slope? There's a rational reason for mowing this, there's a rational reason for not mowing it somewhere else.

Councilmember Harrison – We already have that, we mow his property and then somebody else comes by and said, you mowed his property why don't you mow my property?

Councilmember Burke – This will bring more continuity to it, rather than less.

Councilmember Harrison – Whatever we do, we need to make sure we understand that we're going to have other properties that are coming on-line that we need to solve this problem before we pick up some more property. I.E. 2181 is going to be picked up on the Green River project or whatever it is, like we've picked up the responsibility for 2499. Those are two contracts between TXDOT and us. Tower Ridge or some of this development we're going to talk to a little bit on Parkridge.

Cody Collier, Acting Director of Public Work – Picking up 2181 or 2499 is a choice that the city made, like we did on this portion 2499 right here, we entered into an agreement with TXDOT where they came in and put the irrigation in and the plants and trees, but now the city has to maintain this property as part of the agreement, so we pay to keep this portion of 2499 maintained. If we were so inclined, we could extend it out with this portion of 2499 and we could also take over doing 2181, but that's a choice, that's not something we are required to do by the state.

Lee Ann Bunselmeyer, Acting City Manager – So what is the overall consensus with this? The reason we're bring it up to you at this time is that over the next few months we're going to be developing the budget for the next year and we want to start looking at if we are going to incur these additional costs that we can put them into the budget.

Mayor Heidemann – Is this acceptable?

Councilmember Johnson – Do it all, I'm acceptable to that.

Councilmember Burke – That would be my recommendation.

Councilmember Glockel – I'm going to decline from that comment, it affects my property.

Councilmember Harrison – Alright, mow away!

Mayor Heidemann adjourned the Workshop Session at 6:40 pm.

AYES: All

Meeting adjourned.

Approved by Council on the 21 day of April, 2016

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