

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

On this the 17th day of May 2016 the City Council of the City of Corinth, Texas met in a Special Session at 6:00 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

Members Absent:

Sam Burke

Staff Members Present:

Lee Ann Bunselmeyer, Acting City Manager
Kim Pence, City Secretary
Fred Gibbs, Planning & Development Director
Jason Alexander, Economic Development Director

CALL TO ORDER:

Mayor Heidemann called the meeting to order at 6:20 P.M.

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 Citizens Comments made.

BUSINESS AGENDA:

1. Consider and act on a Resolution Canvassing votes for the General Election held on Saturday, May 7, 2016.

That the returns of the General Election, including the returns of the early voting ballots, duly and legally made, the City Council determined that each candidate for Place 1, Place 3 and Place 4 on the Corinth City Council received the following votes:

City Council Place No.	Name of Candidate	Absentee Votes	Total Number of Early Votes	Total Number of Votes Received on Election Day	Total Number of Votes Received
1	Sam Burke	79	256	214	549
3	Lowell Johnson	80	249	217	546
4	Rachel Roberts	47	151	126	324
4	Joe Harrison	49	204	170	423

SECTION 2.

The City Council, acting as the canvassing board of the general election held in the City of Corinth, Texas on May 7, 2016 has verified that the following candidates were elected to office by a plurality of the votes cast:

Council Place 1 <u>Sam Burke</u>	Total Votes <u>549</u>
Council Place 3 <u>Lowell Johnson</u>	Total Votes <u>546</u>
Council Place 4 <u>Joe Harrison</u>	Total Votes <u>423</u>

MOTION by Councilmember Glockel to approve a resolution of the City Council of the City of Corinth, Texas, canvassing and declaring the results of the May 7, 2016 General Election to elect Municipal Officers; and providing an effective date. Seconded by Councilmember Harrison.

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

MOTION CARRIES

- 2. Consider and act on a Resolution Canvassing votes for the Special Election held on Saturday, May 7, 2016.

PROPOSITION NO. 1 – Eminent Domain

Shall the Charter of the City of Corinth be amended to provide that the City has the authority to exercise the power of eminent domain when necessary to carry out any of the powers conferred upon it by the Charter, Constitution and laws of the State of Texas, amending Section 2.03?

Early Voting	Yes <u>82</u>	No <u>295</u>
Election Day	Yes <u>57</u>	No <u>256</u>
Mail	Yes <u>31</u>	No <u>67</u>
Total:	Yes <u>170</u>	No <u>618</u>

PROPOSITION NO. 2 – Mayor Recommendations

Shall the Charter of the City of Corinth be amended to allow the Mayor to recommend appointments to boards and commission if desired, amending Section 3.01.C?

Early Voting	Yes <u>184</u>	No <u>189</u>
Election Day	Yes <u>152</u>	No <u>152</u>
Mail	Yes <u>54</u>	No <u>50</u>
Total:	Yes <u>390</u>	No <u>391</u>

PROPOSITION NO. 3 - Council Candidate Residency Requirement

Shall the Charter of the City of Corinth be amended to provide that a candidate for City Council shall have resided in the City for 12 months immediately preceding the election, amending Section 3.03.B?

Early Voting	Yes <u>334</u>	No <u>38</u>
Election Day	Yes <u>276</u>	No <u>30</u>
Mail	Yes <u>100</u>	No <u>3</u>
Total:	Yes <u>710</u>	No <u>71</u>

PROPOSITION NO. 4 – City Council Quorum

Shall the Charter of the City of Corinth be amended to provide that the Mayor is not included in the determination of a quorum, amending Section 3.06?

Early Voting	Yes <u>218</u>	No <u>149</u>
Election Day	Yes <u>189</u>	No <u>111</u>
Mail	Yes <u>73</u>	No <u>29</u>
Total:	Yes <u>480</u>	No <u>289</u>

PROPOSITION NO. 5 – City Attorney

Shall the Charter of the City of Corinth be amended to provide that the City Manager may appoint the prosecutor for Municipal Court, amending Section 6.03?

Early Voting	Yes <u>156</u>	No <u>208</u>
Election Day	Yes <u>122</u>	No <u>176</u>
Mail	Yes <u>32</u>	No <u>69</u>
Total:	Yes <u>310</u>	No <u>453</u>

PROPOSITION NO. 6 - Votes for Approval of Budget and Tax Rate

Shall the Charter of the City of Corinth be amended to provide that the budget and tax rate may be adopted by a vote of three Councilmembers or such number of votes as is required by state law, amending Section 9.04.B?

Early Voting	Yes <u>205</u>	No <u>159</u>
Election Day	Yes <u>142</u>	No <u>153</u>
Mail	Yes <u>46</u>	No <u>53</u>
Total:	Yes <u>393</u>	No <u>365</u>

PROPOSITION NO. 7 - Public Records

Shall the Charter of the City of Corinth be amended to provide that the City may except from public disclosure records and information as authorized by state and federal law, amending Section 12.09 of the City Charter?

Early Voting	Yes <u>173</u>	No <u>195</u>
Election Day	Yes <u>138</u>	No <u>154</u>
Mail	Yes <u>44</u>	No <u>49</u>
Total:	Yes <u>355</u>	No <u>398</u>

The City Council hereby finds that pursuant to the May 7, 2016 Special City Charter Amendment Election, the voters of the City have authorized the following amendments to the Corinth City Charter to read as follows:

Proposition No. 3

“**Section 3.03 Qualifications.** Each candidate for an elective office shall meet the following qualifications .

..
C. Shall have resided in the City for ~~one (1) year~~ 12 months immediately preceding the election;”

Proposition No. 4

“**Section 3.06 Quorum.** At all meetings, three (3) Councilmembers shall constitute a quorum for the purpose of transaction of business. The Mayor shall not be counted in the determination of a quorum.”

Proposition No. 6

“**Section 9.04(B) Adoption of the Budget.** The budget and tax rate may be adopted at any regular or special meeting of the Council prior to the beginning of the budgeted fiscal year by a ~~majority vote of a two-thirds quorum~~ vote of three Councilmembers, or such number of votes as is required by state law. The Council may amend the proposed budget by increasing, decreasing, or removing any programs or amounts, except for expenditures required by law, for debt service or for estimated cash deficit. No amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated income plus funds available from prior years.”

MOTION was made by Councilmember Harrison to approve a resolution canvassing votes for a Special Election held on Saturday, May 7, 2016. Seconded by Councilmember Garber.

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

MOTION CARRIES

3. Formal Swearing In of Councilmember Place 1, Place 3, Place 4.

Kimberly Pence, City Secretary swore in the newly elected councilmembers.

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.

There were no Council comments made.

There was no Closed 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 551.074. 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.

RECONVENED IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON EXECUTIVE SESSION ITEMS.

No actions were taken.

ADJOURN:

Mayor Heidemann adjourned the meeting at 6:36 P.M.

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

Approved by Council on the 16 day of June, 2016