

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

On this the 20th day of October, 2016 the City Council of the City of Corinth, Texas met in a Regular Session at the Corinth City Hall at 7:00 PM, 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
Lowell Johnson, Council Member
Don Glockel, Council Member

Staff Members Present: Lee Ann Bunselmeyer, Finance Director
Fred Gibbs, Planning and Development Director
Curtis Birt, Fire Chief
Jason Alexander, Economic Development Director
Kim Pence, City Secretary
Jeremy Booker, Building Official
Elaine Herzog, Business Manager
Andy Messer, City Attorney
Brenton Copeland, Technology Services Asst. Manager

***NOTICE IS HEREBY GIVEN** of a Regular Session of the Corinth City Council to be held at Corinth City Hall located at 3300 Corinth Parkway, Corinth, Texas. The agenda is as follows:

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE:

Mayor Heidemann called the meeting to order at 7:00 P.M., Councilmember Garber delivered the invocation and led in the Pledge of Allegiance.

PRESENTATION:

Lance Hendrik will give an update on Keep Corinth Beautiful. (Was not present)

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 August 10, 2016 Special Session.
2. Consider and act on minutes from the August 18, 2016 Workshop Session.
3. Consider and act on minutes from the September 1, 2016 Workshop Session.
4. Consider and act on minutes from the September 1, 2016 Regular Session.
5. Consider and act on minutes from the September 15, 2016 Regular Session.
6. Consider and Act on a Resolution of the City Council of the City of Corinth, Texas authorizing the Acting City Manager to enter into a Voluntary Interlocal Cooperation Agreement, Amendment Number 2 for the Operation and Maintenance of Traffic Signals.
7. Consider and act on an ordinance for a Boundary Adjustment Agreement between the City of Corinth and the City of Denton.
8. Consider and act on an Interlocal Agreement between the City of Corinth, Texas and the Town of Shady Shores, Texas for Fire Services.
9. Consider and act on an Interlocal Agreement between the City of Corinth, Texas and the Town of Hickory Creek, Texas for Fire Services.
10. Consider and act on an Interlocal Agreement between the City of Corinth, Texas and the City of Lake Dallas, Texas for Fire Services.
11. Consider and act on an Ordinance of the City of Corinth, Texas approving an amendment to the Fiscal Year 2016-2017 City of Corinth Budget and Annual Program of Services to provide for the addition of three full-time firefighter positions to the Fire Department Budget.
12. Consider and act on an Ordinance of the City of Corinth, Texas approving an amendment to the Fiscal Year 2016-17 City of Corinth Budget and Annual Program of Services to provide for the expenditure of funds from the Water Impact Fee Fund, the Wastewater Impact Fee Fund, and the Roadway Impact Fee Fund to complete the Water and Wastewater Master Plan Update and the Water, Wastewater, and Roadway Impact Fee Update.

MOTION made by Mayor Pro-Tem Joe Harrison to approve the Consent Agenda as presented. Seconded by Council Member Scott Garber.

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel

PASSED

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.

PUBLIC HEARING:

13. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT JOHN PIMENTEL REPRESENTING QUIKTRIP, AUTHORIZED REPRESENTATIVE FOR PROPERTY OWNER, A LITTLE FAMILY PARTNERS, L.P., FOR A ZONING CHANGE FROM C-2 COMMERCIAL DISTRICT TO PLANNED DEVELOPMENT (PD) C-2 COMMERCIAL WITH MODIFIED DEVELOPMENT STANDARDS ON APPROXIMATELY 10.381 ACRES OF LAND LEGALLY DESCRIBED AS A PART OF LOTS 1, 2 AND 3, BLOCK A, BRIARWOOD ADDITION IN THE G. MC GLOTHLIN SURVEY, ABSTRACT NO. 888, IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. THIS PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF F.M. 2499 AND F.M. 2181.

C- **Fred Gibbs, Planning and Development Director** - The applicant is proposing a rezoning from 2 Commercial District on approximately 10.381 acres to a Planned Development (PD) C-2 Commercial District with modified development standards in order to develop a QuikTrip gasoline filling station on the northeast corner (proposed Lot 1) of F.M. 2181 and F.M. 2499. A 3,035 sq. ft. restaurant with drive-through service and an 8,500 sq. ft. retail building is proposed on Lot 2, and (5) one-story office buildings are proposed on Lot 3 with no development on the balance of Lots 1 and 3 due to floodplain, and a large expanse of trees that will be preserved. A 5' hardscape trail will be added along the driveway entrance off of F.M. 2499 across lots 1 and 3, just south of the natural preserve area and connecting to the proposed trail system along F.M. 2499.

The following proposed Development Standards for the PD are specified for each lot/area within the PD.

AREA 1/PROPOSED LOT 1: GASOLINE FILLING STATION WITHOUT A CAR WASH

The applicant is meeting or exceeding all other **Development Standards** of the UDC, except the following:

1. UDC Section 2.07.04 **Conditional Development Standards** shall apply, except:
 - a. Gasoline Filling Station without a Car Wash will not require a Specific Use Permit.
2. UDC 2.09.04 **Building Façade Material Standards** shall apply, except:
 - a. Porcelain tile may be used on all facades, but shall be limited to a maximum of 25% of each façade.
3. UDC 2.09.05 **Residential Adjacency Standards** shall apply, except:
 - a. Buildings under 6,000 square feet shall not be required to have pitched roofs.
 - b. A 6' tall masonry screening wall shall not be required along the northern property line in order to protect existing trees in the preserved open space.
 - c. A double row of 36" tall Dwarf Buford Holly screening shrubs shall be planted 36" on center, as shown along the driveway entrance off of F.M. 2499 and into the site, as shown on the attached Landscape Plan.

4. UDC 2.09.06 **Nonresidential Architectural Standards** shall apply, except:

a. The rear building façade shall be as shown on the attached Building Elevations.

5. UDC 4.02 **Fence and Screening Regulations** shall apply, except:

a. A 6' tall masonry screening wall shall not be required along the northern property line in order to protect existing trees in the preserved open space.

b. A double row of 36" tall Dwarf Buford Holly screening shrubs shall be planted 36" on center, as shown along the driveway entrance off of F.M. 2499 and into the site, as shown on the attached Landscape Plan.

AREA 2/PROPOSED LOT 2: RETAIL AND RESTAURANT

The applicant is meeting or exceeding all other **Development Standards** of the UDC except the following:

1. UDC Section 2.09.03 **Vehicle Parking Regulations** shall apply, except:

a. A shared parking agreement will be in effect for proposed Lots 2 and 3.

2. UDC Section 2.09.04 **Building Façade Material Standards** shall apply, except:

a. Buildings within this PD shall be complementary.

b. Specific color palette and building façade materials shall be reviewed and approved at the time of the Site Plan.

3. UDC Section 2.09.05 **Residential Adjacency Standards** shall apply, except:

a. A 6' tall masonry screening wall shall not be required to be installed along the eastern property line until development of this lot occurs. Details of the screening wall shall be included at the time of review and approval of the Site Plan for development immediately adjacent to the residential property to the east of Area 2.

4. UDC Section 4.02 **Fence and Screening Regulations** shall apply, except:

a. A 6' tall masonry screening wall shall not be required to be installed along the eastern property line until development of this lot occurs. Details of the screening wall shall be included at the time of review and approval of the Site Plan for development immediately adjacent to the residential property to the east of Area 2.

AREA 3/PROPOSED LOT 3: OFFICE

The applicant is meeting or exceeding all other **Development Standards** of the UDC except the following:

1. UDC Section 2.09.03 **Vehicle Parking Regulations** shall apply, except:

a. A shared parking agreement will be in effect for proposed Lots 2 and 3.

2. UDC Section 2.09.04 **Building Façade Material Standards** shall apply, except:

a. Buildings within this PD shall be complementary.

b. Specific color palette and building façade materials shall be reviewed and approved at the time of the Site Plan.

3. UDC Section **Residential Adjacency Standards** shall apply, except:

a. A 6' tall masonry screening wall shall not be required on the portion of the northern boundary within the floodplain area, and shall be as shown on the Concept Plan, in order to preserve substantial natural screening in the form of trees.

b. A 6' tall masonry screening wall shall not be required to be installed along the eastern property line until development of this lot occurs. Details of the screening wall will be included at the time of review and approval of the Site Plan for development immediately adjacent to the residential property to the east of Area 3.

4. UDC Section 4.02 **Fence and Screening Regulations** shall apply, except:

a. A 6' tall masonry screening wall shall not be required on the portion of the northern boundary within the floodplain area, and shall be as shown on the Concept Plan, in order to preserve substantial natural screening in the form of trees.

b. A 6' tall masonry screening wall shall not be required to be installed along the eastern property line until development of this lot occurs. Details of the screening wall shall be included at the time of review and approval of the Site Plan for development immediately adjacent to the residential property to the east of Area 3.

At the Planning and Zoning Commission meeting, we received 2 letters in opposition of the request. At this time, the total opposition only represents 3.3% of land within the 200' notification area, and; therefore, a super majority or 3/4 vote is **not** required in order for Council approval of this request.

SURROUNDING PROPERTIES ZONING

- Subject Property C-2, Commercial
- North SF-3, Single-Family
- South C-2, Commercial
- East C-1, Commercial
- West C-2, Commercial

SURROUNDING PROPERTIES EXISTING LAND USE

- Subject Property Vacant
- North Single-Family
- South Vacant
- East Single-Family
- West Retail/Vacant

SURROUNDING PROPERTIES FUTURE LAND USE

- Subject Property Retail
- North Single-Family
- South Retail
- East Retail
- West Retail

A site plan is included for the 5,858 sq. ft. proposed QuikTrip gasoline station without a car wash for Area 1/Lot 1; however, the layout for Area 2/Lot 2 and Area 3/Lot 3 is conceptual and site plans will be required prior to development of those lots.

Three driveways are proposed for this development. The second driveway on F.M. 2181 nearest the intersection of F.M. 2499 is a right-in, right-out only. TXDOT has indicated that all driveways may be approved. However, all proposed driveways, as shown along both F.M. 2181 and F.M. 2499, will require TXDOT permits prior to construction.

Access to the proposed driveway, as shown on F.M. 2499 will not be allowed until the fall of 2017 when construction of the roadway is completed and opened.

The applicant is showing detention in the form of a detention pond near the floodplain on Lot 1 and next to the 5' hardscape trail that will connect to the City's trail along F.M. 2499. However, staff would prefer a retention pond with a fountain as an amenity for the development. Since the detention will be shared for the entire development, staff would be amenable to requiring the conversion of the detention pond to a retention pond with a fountain as an amenity at the time of development of Area 2/Lot 2, and/or Area 3/Lot 3. Site plans will be required for development on proposed Areas 2 (Lot 2) and 3 (Lot 3) prior to development on those lots.

The Unified Development Code requires consistency between a Zoning Map Amendment (Rezoning) and the Comprehensive Plan. The proposed zoning is in conformance with the Comprehensive Plan. Therefore, a Comprehensive Plan Amendment is not necessary and the Commission may make a recommendation on this zoning request.

Staff recommends Approval of this request, subject to the following:

1. The detention pond as shown on Area 1/Lot 1 must be converted to a retention pond with a fountain at the time of review and approval of site plans for Area 2/Lot 2 and/or Area 3/Lot 3; and,
2. Approval of Major Subdivision Waivers for the driveway off of F.M. 2499 and one of the driveways off of F.M. 2181 at the time of platting; and,
3. TXDOT permits for the driveways.

On September 26, 2016, the Planning and Zoning Commission recommended approval of the request subject to the following:

1. Approval of Major Subdivision Waivers for the driveway off of F.M. 2499, and one of the driveways off of F.M. 2181 at the time of platting; and,

2. TXDOT permits for the driveways.

Truitt Priddy, QuikTrip, Real Estate Project Manager – Quick Trip generates about \$1.2 million in local state taxes per store. We create an average of 20 jobs per store. We have never laid off an employee, the average store manager makes \$70,000 a year. We contribute 5% of all our profits to charitable organizations.

Showed Council some colored renderings of the building and inside the store. The whole northwest of the entire site will be a tree buffer zone.

Councilmember Glockel – when you build the QT are you planning on doing the infrastructure for the other lots at that time or are you going to stop?

Truitt Priddy, QuikTrip, Real Estate Project Manager – no, we will perform the construction on the QT lot along with the driveway that is parallel with FM 2181 to the farthest east, we will build that driveway then from there that is about where our construction stops.

Councilmember Glockel – and when you stop at that point everything else will remain natural?

Truitt Priddy, QuikTrip, Real Estate Project Manager – correct. It will retain the same appearance it has today until they develop it.

Mayor Heidemann opened the public hearing at 7:32 p.m.

Tom Bowater, 2807 Pottery Trail – in favor of the proposed Quick Trip. Quick Trip has reached out to my neighbors and myself not just to educate us but to seek input from our community and happy to have them here.

Michael Reibly, 3024 Kiln Drive – against the proposed Quick Trip. There is not a gas station backing up to a residential area anywhere.

Claudette, 3325 Kiln Drive – against the proposed Quick Trip and if it does get approved please consider the retaining wall for the safety of my home.

Gary Lystad, 1917 Whitehall Drive – against the proposed Quick Trip. There are a lot of gas stations in this area.

Henry Helmke, 3213 Blue Jay – against the proposed Quick Trip.

Sherry Helmke, 3213 Blue Jay – against the proposed Quick Trip.

Ed Hardy, 3501 Buckingham Drive - in favor of the proposed Quick Trip. Will show that the city is business friendly and will assist in property sales tax base.

Mayor Heidemann closed the public hearing at 7:42 p.m.

BUSINESS:

Consider and act on a zoning change from C-2 Commercial District to Planned Development (PD) C-2 Commercial District on 10.381 acres of land legally described as part of Lots 1, 2 and 3, Block A, Briarwood Addition in the G. Mc Glothlin Survey, Abstract No. 888, in the City of Corinth, Denton County, Texas. This property is located on the northeast corner of F.M. 2499 and F.M. 2181.

Councilmember Garber – I noticed that this was zoned C-2. Do you have a list of examples the different companies or types of things that could be built by right and would not have to come by Council to be approved if this was not approved?

Fred Gibbs, Planning and Development Director – basically C-2 you can have fast food, grocery stores, office buildings, other 24 hour type of operations, banks and auto zones basically most of your commercial typical uses could be located here.

MOTION made by Mayor Pro-Tem Joe Harrison to approve with the following conditions

1. The detention pond as shown on Area 1/Lot 1 must be converted to a retention pond with the fountain at the time of review and approval of site plans for Area 2/Lot 2 and/or Area 3/Lot 3; and 2 Approval of Major Subdivision Waivers for the driveway off of FM 2499 and one of the driveways off of FM 2181 at the time of platting; and 3 TXDOT permits for the driveways. Seconded by Council Member Don Glockel.

A YE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel

Passed

14. Consider and act on a sign variance for property legally described as a part of Lots 1, 2, and 3, Block A, Briarwood Addition in the G. Glothlin Survey, Abstract No. 888, in the City of Corinth, Denton County, Texas. This property is located on the northeast corner of F.M. 2499 and F.M. 2181. The request is to allow more than one attached wall sign per street frontage as specified in the current sign regulations.

Jeremy Booker, Building Official – this is related to the previous item that Council just heard. A sign variance allows by right one attached sign per street frontage since this is a corner lot they are allowed by right to have two signs because it is in front of two streets.

QuikTrip is requesting a variance to the sign ordinance in order to allow a total of five (5) attached signs for the proposed convenience store. Section 4.01.15 (B) (4) of the Unified Development Code states that a business shall be allowed one (1) sign per street frontage. The QuikTrip convenience store is to be located at an intersection and will front on two (2) streets; therefore, two (2) attached signs are allowed by right.

The applicant is proposing three (3) signs attached to the front of the building facing south toward F.M. 2181. Two (2) of the signs will include the "QT" logo and have an approximate size of nineteen (19) square feet each. The third sign will include the "QuikTrip" name and have an approximate size of one hundred twenty-one (121) square feet.

The two remaining signs are proposed to be attached to the top of the canopy located over the fuel pumps. Each sign will be approximately nineteen (19) square feet in size and include the "QT" logo.

Undue Hardship Required. Section 4.01.14 (A) (2) of the Unified Development Code states that in granting a sign variance, City Council shall determine that a literal enforcement of the sign regulations will create an undue hardship or practical difficulty on the applicant, that the situation causing the undue hardship or practical difficulty is unique to the affected property and is not self-imposed, that the sign variance will not injure and will be wholly compatible with the use and permitted development of adjacent properties, and that the granting of the sign variance will be in harmony with the spirit and

purpose of the sign regulations.

Staff can support the request for additional signage with the condition that no window signage shall be permitted.

MOTION made by Council Member Sam Burke to approve as presented with the condition that no window signage shall be permitted. Seconded by Council Member Lowell Johnson.

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel

Passed

15. Consider and act on a sign variance for property legally described as a part of Lots 1, 2, and 3, Block A, Briarwood Addition in the G. Glothlin Survey, Abstract No. 888, in the City of Corinth, Denton County, Texas. This property is located on the northeast corner of F.M. 2499 and F.M. 2181. The request is to reduce the minimum setback of a monument to the property line as specified in the current sign regulations.

Jeremy Booker, Building Official - QuikTrip is requesting a variance to the sign regulations in order to reduce the minimum setback of a monument sign to the property line for the new convenience store. Section 4.01.15 (G) (6) of the Unified Development Code states a monument signs shall be located a minimum of fifteen (15) feet from any property line.

The applicant is proposing to locate a monument sign five (5) feet from the property line. This monument sign is to be located along F.M. 2499 near the northwest corner of the property. The applicant states in their justification letter (attached) that a large number of trees are being preserved between the building and the adjacent residential neighborhood, and the fifteen (15) setback will result in difficulty with sign visibility. There is also a large retaining wall that is at a higher grade than the proposed site.

Undue Hardship Required. Section 4.01.14 (A) (2) of the Unified Development Code states that in granting a sign variance, City Council shall determine that a literal enforcement of the sign regulations will create an undue hardship or practical difficulty on the applicant, that the situation causing the undue hardship or practical difficulty is unique to the affected property and is not self-imposed, that the sign variance will not injure and will be wholly compatible with the use and permitted development of adjacent properties, and that the granting of the sign variance will be in harmony with the spirit and purpose of the sign regulations.

Staff would prefer the applicant provide a corner monument sign at the intersection of FM 2181 and FM 2499 in lieu of two monument signs. However, based on the hardship described in the applicant's narrative, staff believes a hardship may exist. Staff can support the request if the monument signs are placed outside the forty-five (45) foot visibility triangle at each driveway as required in the Unified Development Code.

MOTION made by Council Member Scott Garber to approve as presented with the condition that the monument signs are placed outside the forty-five (45) foot visibility triangle at each driveway as required in the Unified Development Code. Seconded by Mayor Pro-Tem Joe Harrison.

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel

Passed

16. Consider and act on a sign variance for property legally described as a part of Lots 1, 2, and 3, Block A, Briarwood Addition in the G. Glothlin Survey, Abstract No. 888, in the City of Corinth, Denton County, Texas. This property is located on the northeast corner of F.M. 2499 and F.M. 2181. The request is to allow more than one monument sign allowed on a corner lot as specified in the current sign regulations.

Jeremy Booker, Building Official - QuikTrip is requesting a variance to the sign regulations in order to allow a second monument sign on a corner lot for the new convenience store. Section 4.01.15 (G) (5) (b) of the Unified Development Code states that one (1) monument signs is allowed for a corner lot fronting on two (2) intersecting streets. The location of the proposed QuikTrip is at the intersection of F.M. 2181 and F.M. 2499 and fronts on both streets. Therefore one (1) monument sign is allowed for this corner lot.

The applicant is proposing to add a second monument sign -- one located along F.M. 2181 and one along F.M. 2499. The applicant states in their justification letter (attached) that a significant grade change on F.M. 2181 will create poor visibility to the sign for west-bound traffic. In addition, a large tree buffer and retaining wall will create visibility issues for traffic on F.M. 2499. The applicant is proposing to place each sign away from the intersection and closer to an entrance into the site.

Undue Hardship Required. Section 4.01.14 (A) (2) of the Unified Development Code states that in granting a sign variance, City Council shall determine that a literal enforcement of the sign regulations will create an undue hardship or practical difficulty on the applicant, that the situation causing the undue hardship or practical difficulty is unique to the affected property and is not self-imposed, that the sign variance will not injure and will be wholly compatible with the use and permitted development of adjacent properties, and that the granting of the sign variance will be in harmony with the spirit and purpose of the sign regulations.

Staff would prefer the applicant provide a corner monument sign at the intersection of FM 2181 and FM 2499 in lieu of two monument signs. However, based on the hardship described in the applicant's narrative, staff believes a hardship may exist. Staff can support the request if the monument signs are placed outside the forty-five (45) foot visibility triangle at each driveway as required in the Unified Development Code.

MOTION made by Mayor Pro-Tem Joe Harrison to approve the variance as presented with the condition that the monument signs are placed outside the forty-five (45) foot visibility triangle at each driveway as required in the Unified Development Code. Seconded by Council Member Don Glockel.

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel

Passed

17. Consider and act on a sign variance for property legally described as a part of Lots 1, 2, and 3, Block A, Briarwood Addition in the G. Glothlin Survey, Abstract No. 888, in the City of Corinth, Denton County, Texas. This property is located on the northeast corner of F.M. 2499 and F.M. 2181. The request is to allow an attached wall sign that exceeds the maximum letter or logo height as specified in the current sign regulations.

Jeremy Booker, Building Official - QuikTrip is requesting a variance to the sign regulations in order to

allow an attached wall sign for the new convenience store that exceeds the maximum letter or logo height. Section 4.01.15 (C) (2), Table 29: Maximum Letter Height of the Unified Development Code limits the letter height or logo height for an attached sign that is located two hundred (200) feet or less from the right-of-way to a maximum of twenty-four (24) inches in height.

The applicant is proposing an attached wall sign with the "QuikTrip" name and a total of four (4) signs with the "QT" logo. (Two (2) of the logo signs are located on the building, and two (2) are located on the canopy over the fuel pumps.) The applicant is requesting a variance to increase the maximum size of the letter or logo to forty-one (41) inches.

Undue Hardship Required. Section 4.01.14 (A) (2) of the Unified Development Code states that in granting a sign variance, City Council shall determine that a literal enforcement of the sign regulations will create an undue hardship or practical difficulty on the applicant, that the situation causing the undue hardship or practical difficulty is unique to the affected property and is not self-imposed, that the sign variance will not injure and will be wholly compatible with the use and permitted development of adjacent properties, and that the granting of the sign variance will be in harmony with the spirit and purpose of the sign regulations.

Staff can support the request for additional signage with the condition that no window signage shall be allowed.

MOTION made by Council Member Don Glockel to approve the variance as presented with the following condition that no window signage shall be allowed. Seconded by Council Member Sam Burke.

Councilmember Glockel – we discourage a lot of clutter in the windows so that our police department can view in and citizens can see both ways in case there is a safety issue.

A YE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel

Passed

18. Consider and act on a contract with RG3 Meter Company for water meter transponder technology and software upgrades with a customer based application for usage and consumption monitoring.

Cody Collier, Public Works Director - Corinth has utilized the Atlas Utility Orion Transponder based system to read our water meters since 1997. The current transponders are at the end of their ten year lifespan. The current system is a drive by data collection system which entails physically driving the meter reading vehicle and laptop past each meter in the city. In July 2016, the City published a Request for Proposal (RFP) soliciting bids for a new water transponder system. Four organizations submitted bid proposals.

The new program takes the employee out of the street, we no longer need to have a meter reading vehicle, paying for fuel and maintenance on the equipment. This new transponder system is basically the same idea however, the transponder will transmit the data out and it collects all the meter reading from all over the city so now when we are ready to take out data to submit bills, our utility billing folks will literally log in and hit a button and it will pull all the data into the computer so we no longer have employees in the field physically trying to collect that data. This is a computer base system that will allow a customer to monitor their own consumption remotely through a computer. There is an app coming out mid- December for smart phones and you can monitor on there as well. They system will

tell you if you have leaks, if a backflow event occurred, if someone has tampered with the meter and will automatically notify city staff.

Jim Brown, RG3 Meter Company – this is a software system that is going to basically pull in the data from your existing utility billing system and the smart meters. This software will pull in that information from the meters and the account information from utility system and allows staff to access that information and set up the system to subscribe to notifications. The meter data itself can be set up hourly, monthly, daily. You can also pull in weather data so the portal ties into weather stations.

The new applications that the system sends out can go through email, automated, computerized, phone calls, and text messages and the portal itself that you can to and go through web browser and by the end of this year we will have android and I Phone apps with the same data just different ways to get it.

Notifications types include leak alerts, the portal also calculates a usage trend on each meter and essentially learns what a normal usage pattern for each meter is and when it gets a high reading for an individual meter it will give an alert. If the City issues a water use restriction such as stage 1, stage 2 or stage 3 this will notify the customer of what stage it is in and what those water usages are and flag the accounts that are not conforming to those rules and provide notification to those customers.

This is a secured software, the passport rules are tailored to match the cities IT security policy. The system is hosted in a secure audited hosting facility and is subject to annual audits and regulations. User accounts are self – provisioned by your constituents so they can go to the application and request an account and they are going to enter account number and names and other attributes that come up off of their utility bill and the software will match that so they can set up their own account so it is not a burden on utilities to have to sign people up.

We also have so that utility staff can go in and manage accounts or someone that needs help re-setting their password and utility staff can go in and assist with that or create accounts as needed.

Staff recommendation is to award the contract for water meter transponder technology and software upgrades with a customer based application for usage and consumption monitoring to RG3 Tesla. The RG3 Tesla net system is an automated radio based system which transmits the reading to data collectors and on to the Utility Billing Department eliminating the process of manually driving the city to collect the meter readings. The Tesla Net transponder is a much more robust system that offers data not only for the utility billing division, but also includes a real-time option that will provide our customers the ability to monitor their water consumption via smartphone or computer and set alerts to notify them when consumption has reached the customers threshold.

In 2009, the City created the Utility Meter Replacement Fund to manage the purchase and replacement of Utility water meters and transponders in a manner that would not create a burden of high expenditures during any single year. The replacement fund has a balance of \$933,706 as of October 1, 2016. Staff anticipates three years to fully implement the system citywide. The fiscal year 2016-2017 budget includes expenditures of \$600,000 for Phase I of the project.

Councilmember Johnson – the data that you are transmitting back to civic plus, is this compatible with our updated Incode?

Lee Ann Bunselmeyer, Acting City Manager – yes, it integrates fully with our utility billing side and

there will be no issues with the transmission of data from this system into our utility billing system.

Councilmember Johnson – our current auditor's, are they going to have the ability to look at this and actually interpret it and make sure it is the way it should be?

Lee Ann Bunselmeyer, Acting City Manager – no, our auditors will not have access to the system. They don't have access to any of our systems because of security reasons. If they do need some of that data to do sample testing for any reason then we will have staff download the information and provide that to them.

Councilmember Johnson – I am guessing that you have internal folks that is continuously watching to make sure that you have not been hacked? A system like this with this much information could be very valuable to the right people be the good or bad.

Jim Brown, RG3 Meter Company – absolutely. Developing secure software really is a continuous process and impacts everything from requirements, design, to the architecture and the software in the way you build it and program it and test it, monitoring all of those things are continuous.

Councilmember Harrison – what do the updates costs on the software? Is that cost rolled into your total bid?

Jim Brown, RG3 Meter Company – yes, you will get automatic updates sent to the system automatically.

Lee Ann Bunselmeyer, Acting City Manager – there is an ongoing yearly maintenance cost for the software and it is about \$15,000 per year to maintain it and as far as the warranty collectors and repeaters there is a warranty cost of about \$8,800 per year however there is no charge for the first two years.

Councilmember Johnson – this \$25,000 a year starting in year three are we recovering through water rates or how are we going to recover that?

Lee Ann Bunselmeyer, Acting City Manager – you would recover it through your water rates obviously. Right now we have the capacity in our expenditures to be able to do it without any increase in our expenditure line items. There were some expenditures that we were doing from our previous transponders that have been transferred over to this?

Cody Collier, Public Works Director – yes, the way we fund it and the way we have been working towards funding this program will sustain itself that we have been doing now for 8 or 9 years. We have been setting aside each year between \$50,000 and \$100,000 into another account to prepare for the transponder swap. Maintaining that same current budgeting process will allow us to fund the revolving annual expenses as well as setting the money aside to prepare at the end of the 25 years to whatever the technology is at that point to be able to go to the next step at that time.

Councilmember Harrison – what is it going to cost me as a citizen every month?

Cody Collier, Public Works Director – you will not see any increase in your utility cost.

Councilmember Harrison – how will this affect the water rate study?

Lee Ann Bunselmeyer, Acting City Manager – this component you will see a decrease in it because we are not going to have to budget that \$150,000 a year and will lower that amount on an annual basis. Because now we are looking at a longer life for the equipment than what we currently have.

Councilmember Johnson – where are we going to put the transponders and these repeaters?

Cody Collier, Public Works Director – what they have indicated in their bid was 4 data collectors and those are about the size of a brief case. They quoted 26 repeaters and they are about the size of a 40oz drink and they will be stationed out and take the signals and amplify them and post them to the data collectors. We have 13 lift stations and all of them have a tower so we can communicate and those make fantastic places to put the repeaters and data collectors. You can look at the roof top of City Hall or the police station, fire station, public works facility, our water towers. We have the existing infrastructure to mount to so you would not see anything new and if the device was put on it chances are you would never notice it was there.

Councilmember Harrison – when you load this stuff you will make the adjustments for how many gallons that you provide to senior citizens into your software?

Cody Collier, Public Works Director – this part of it will not know but the Incode billing portion will know when it is sent through that.

Lee Ann Bunselmeyer, Acting City Manager – Cody I know we are looking at about a 3 year implementation to cover the entire city. We have about 6,700 utility accounts, 200 of which are commercial so are you going to start with the commercial first then phase in the residential? What are your plans over the next 3 years?

Cody Collier, Public Works Director – I would prefer to start off with our largest customers so that would be apartment complexes, and businesses. It will take time to go meter by meter, moving equipment and installing the equipment and make sure we don't have any bugs and have full coverage with all of our data collectors and repeaters. I will then start phasing in the subdivisions next and as the ones that we have in there currently reach their life span I can replace those and continue moving forward.

Councilmember Harrison – what is the dollar amount for this?

Lee Ann Bunselmeyer, Acting City Manager – the dollar amount that you are approving is the \$1,099,551 that is the total conversion cost and cost of the contract for the 3 year period. What we have budgeted for the first year we have \$600,000 budgeted that will start the conversion and will budget the rest of that money over the next 2 years. Tonight you are approving the contract for the full amount of \$1,099,551.

MOTION made by Council Member Scott Garber to approve the contract with RG3 Meter Company for water meter transponder technology and software upgrades. Seconded by Council Member Sam Burke.

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell

Passed

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 Johnson – we have the Pumpkin Palooza on Saturday and also about 9:00 am on Saturday morning we will have the Keep Corinth Beautiful Clean Up Day. Please come out and spend a couple of hours with us and then go spend the rest of the day the Pumpkin Palooza.

Lee Ann Bunselmeyer, Acting City Manager – we received quite a few sponsorships from businesses in the community and because of those sponsorships we were able to make the event a free event. The only thing that would require any type of payment would be the balloon ride and \$3.00 for a pumpkin. We look forward to seeing everyone there.

Mayor Heidemann – in the Dallas Morning news last Sunday Corinth was rated the 8th best City to live in.

Mayor Heidemann recessed the meeting at 9:14 p.m. *See Executive Session.

CLOSED SESSION

The City Council will convene in such executive or (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.

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.

Council met in Closed Session from 9:14 p.m. until 10:10 p.m.

a. Deliberations 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.

There was no action taken from closed session.

ADJOURN:

Mayor Heidemann adjourned the meeting at 10:11 p.m.

AYES: All

Meeting adjourned.

Approved by Corinth City Council on the 15 day of November, 2016.

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