

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

On this the 19th day of September 2019 the City Council of the City of Corinth, Texas met in Workshop Session at the Corinth City Hall at 5:30 P.M., located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

Members Present:

Mayor Heidemann
Sam Burke, Mayor Pro-Tem
Scott Garber, Council Member
Kelly Pickens, Council Member
Tina Henderson, Council Member
Lowell Johnson, Council Member

Members Absent:

None

Staff Members Present

Bob Hart, City Manager
Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director
Patricia Adams, Messer, Rockefeller, & Fort
Jerry Garner, Police Chief
Jimmie Gregg, Police Captain
Cody Collier, Public Works Operations Director
Helen-Eve Liebman, Planning and Development Director
Ben Rodriguez, Planning and Development Manager
George Marshall, City Engineer
Jason Alexander, Economic Development Corporation Director
Brenton Copeland, Technology Services Assistant Manager
Brett Cast, Engineering Services Coordinator
Michael Ross, Fire Chief
Guadalupe Ruiz, Human Resources Director
Chris Rodriguez, Assistant Finance Director
Emily Beck, Communications and Marketing Coordinator
Lana Wylie, Senior Administrative Assistant

CALL TO ORDER:

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

WORKSHOP BUSINESS AGENDA:

- 1. Board members and new applicant interviews.**
- 2. Hold a discussion on the nominations, appointments, resignation and removal of members from the following: Keep Corinth Beautiful Commission, Planning and Zoning Commission, Board of Construction Appeals, Citizen Finance Audit Committee, Ethics Committee, Corinth Economic Development Corporation, and Zoning Board of Adjustments.**

Bob Hart, City Manager – Mayor and Council you have in your packet all of the positions you had discussed this past week. Rodney Thornton is one that you were holding for Place 6 of the second alternate position for P&Z, I will assume you will want to drop him in there. The other is Laura Paul, she had applied and you still have a vacant position in Place 5 in Ethics. You may want to look at putting her into that position. It would also have all of our positions full.

Tina Henderson, Council Member – I do not see a problem placing her in that position.

Mayor Heidemann – I would like to know if any of the council members who interviewed the candidates have any comments about the candidates so that Councilman Johnson, Mayor Pro-Tem Burke and Bob can be brought up to date.

Scott Garber, Council Member – They seemed to be very engaged and here for the right reasons. A lot of servant hearts this time around. I do have a question about the trails, especially as it was concerning to Lance Hendrik. What did we ultimately end up deciding?

Bob Hart, City Manager – This goes back partly to the conversation with Amanda and I. Before we brought any recommendation to you, Amanda and I met about three times to discuss some of that. Once we have KCB and Parks Boards in place, then you can get a couple representatives from each board and some residents and have a trails committee. You would have the trails committee working principally through the Parks & Rec Board but you would have some interaction with KCB so that they would coordinate. I think it will take about 60 days for us to get all of that in play to move forward.

Kelly Pickens, Council Member – KCB has most of the equipment, right?

Bob Hart, City Manager – Yes, it is city equipment for use for KCB, Parks & Rec.

Tina Henderson, Council Member – But we are not assigning Lance anywhere.

Bob Hart, City Manager – He would be on the trails committee. It will take about 60 days to get the other two boards up and running.

Scott Garber, Council Member – Do you have the list put together of who we had discussed was going to be a part of? What we discussed at the end of the interviews, we were thinking the trails would be in addition to the additional boards so my notes do not reflect Mr. Hendrik being on another board.

Bob Hart, City Manager – We do not have a trails committee so I am going back to the conversation and this is strictly what Amanda and I discussed, it was having the trails committee working out of and in-conjunction with KCB and Parks & Rec together. That means, if you look at it from a governing structure, you would have those two committees working, identifying citizens and they would be the people who would be making those appointments, rather than the council, unless you want to do that different but that was the direction I had been working toward with Amanda.

Scott Garber, Council Member – Right but our last interview we had all discussed and put the names up on the board and there were two members that did not get placed into a committee because we were deciding how the trails were going to go, so now that we know how the trails are going to go, we have a list of folks that we were going to place that may need to be revised a bit as a result of that.

Bob Hart, City Manager – I knew about Lance, I did not know about any others.

Tina Henderson, Council Member – Scott Porter, I thought we moved him to KCB.

Scott Garber, Council Member – We moved Scott Porter so it is pretty much just Lance at this point.

Kelly Pickens, Council Member – That is the only one I have on the trails.

Tina Henderson, Council Member – We were going to ask Scott Porter to work with Lance on the trails, that is what we recommended.

Bob Hart, City Manager – I can communicate that with Amanda but this next month is when we will have our first set of meetings with the new boards and then we would start working on the trails. The other thing you might want to do, you have them in here with the additions of Rodney Thornton and Laura Paul, when you go into the council meeting you may want to do all of the board appointments in one motion.

Sam Burke, Mayor Pro-Tem – Does someone have a list they can run through?

Bob Hart, City Manager – It would be the list in your packet and you would have to clarify Rodney and Laura Paul to Ethics in Place 5, if you would like to do that.

Scott Garber, Council Member – I think that goes back to my question, we had KCB and Parks & Rec full, without Lance.

Bob Hart, City Manager – That is correct but Lance would come back and pick up on the trails committee as soon as we the boards set up.

Scott Garber, Council Member – I got you, he does not need to be a part of KCB or Parks & Rec to maintain the trails.

Mayor Heidemann – That was what he wanted to do.

Patricia Adams, Messer, Rockefeller, & Fort – If you are making one motion for everybody then you will have to open agenda items 8 through 15 all at one time.

3. **Hold a discussion and provide staff direction on City Council and Workshop meeting procedures.**

Bob Hart, City Manager – We had some conversations about the security for the meetings. We have a police officer we generally pull off the street or pay overtime for them to be here and we run people through the metal detector. It seems like we do it for the one or two people who show up. I do not know all of the history, this was kicked off about seven or eight years ago. There was a good reason to have it then and I do not know that there is now so I wanted your perspective on it. Chief Garner is here and if we had a controversial issue, we could have an additional officer here but I was not sure we wanted everyone to go through the metal detectors.

Scott Garber, Council Member – From someone that has been here for a little while but maybe does not have the historical perspective, the glass up in front of Utility Billing and Municipal Courts and the metal detector in front of city council meetings seem to be overkill, it just does, unless there is going to be a huge divisive thing that we are talking about.

Lowell Johnson, Council Member – Two questions, Chief, is our bailiff going to be armed? Our bailiff is also going to be out collecting city warrants at some point in time?

Jerry Garner, Police Chief – Yes and yes that is my understanding.

Lowell Johnson, Council Member – Seems to me the simple solution if we would keep it is to adjust the bailiffs hours so that on Thursday's he works late so he will be on regular time doing that if we want to keep it. He is going to need to work evenings anyway, you do not collect warrants at 9:00 a.m. If we are going to keep them, the most least expensive would be to keep the bailiff on Thursday's until later.

Bob Hart, City Manager – That is a good idea, the larger question is do you want to have it at all?

Lowell Johnson, Council Member – Coming from a background, like these guys over here, and having been in intelligence I know that weak targets are easy targets so if there was ever somebody, regardless of whom it is and the whole world doesn't spin around where the nice guys are here and the bad guys are there, they are kind of everywhere these days so whether it is a mad president or anybody else decides they are going to take the day and it is our target where the target is pretty easy, it is even easy now with a guy out there. Truly if they wanted in here we would have one dead officer there and then the mayor would be dead because he is dead center and then you would go from there.

Sam Burke, Mayor Pro-Tem – That brings me to my point, I wanted to switch places with Kim.

Lowell Johnson, Council Member – I would lean more toward putting the bailiff in charge of it, he will be in charge of security anyway.

Kelly Pickens, Council Member – I agree with Lowell, I think it does not take a hot issue for someone to want to make a name for themselves.

Lowell Johnson, Council Member – We do not necessarily have to run the metal detector if you want to put the bailiff up there so that they know when they come in the door that he is there. Then you could use the metal detector on big nights but of course then the question comes, how do you know it is going to be a big night? Sometimes the littlest issues stir the biggest pots. If we want to continue to do it, I think the bailiff is the one we ought to rely on.

Bob Hart, City Manager – We can do that and we can play it by watching and not be consistent about keeping the metal detector out. It will be several months before we get a bailiff hired but I was trying to avoid some overtime.

Lowell Johnson, Council Member – Avoid how much overtime, about \$300 - \$400 per month?

Bob Hart, City Manager – It would be about \$300 per meeting, \$600 per month.

Sam Burke, Mayor Pro-Tem – Do you all have a strong feeling about it Chief?

Jerry Garner, Police Chief – A minor issue for us, yes we do sometimes have to pay overtime or we bring somebody off the street and now we are short on the street to staff that but what I was more interested in finding out in the conversations that I have had with the city manager, just what council felt what of a better term is our image requiring our citizens to come through a metal detector and pass an

officer to go to city council. I know places I have worked in law enforcement before that has never been a requirement to go to city council, to go through a metal detector and bypass an officer. This is why I brought it up to the manager to see what council's feelings are on is that sending a bad message or is it the message we want to send that if you are going to do something crazy there is going to be somebody there to stop you.

Bob Hart, City Manager – Expand on the notion that he is there in a community service mode not a detection mode.

Jerry Garner, Police Chief – I think Mr. Johnson hit on it a minute ago, we talked about this at the city manager's meeting the other day with staff. That officer that is out there is in a communications mode. He is not in a community relations mode, he is not in a high alert status so it would be very easy for somebody to come up and kill him quickly and then to come in and do whatever they wanted so we don't want to create a false sense of security with council either because that officer is more in the handshaking/welcome mode, which is probably where we want him to be than he is in high alert mode so that is not a guarantee whether it is a bailiff or an officer. Normally if I am not there for a council meeting probably one of my captains will be here so you will have an armed officer there for your meeting anyhow. We wanted to throw it out to you and see what you thought. We are perfectly willing and able to continue doing exactly what we are doing until it is relieved by a bailiff or anything council wants. We just wanted you to have a chance to talk about it see that you thought.

Scott Garber, Council Member – What does staff feel? They are the other half of the room? We sit and look at each other all night usually. Is there one major opinion one way or another from staff?

Bob Hart, City Manager – How would you all summarize it? Helen-Eve, Cody, Lee Ann, how would you summarize it?

Cody Collier, Public Works Operations Director – I am okay without.

Kelly Pickens, Council Member – I don't necessarily think the metal detector is needed.

George Marshall, City Engineer – My former place of employment, they did not have a dressed officer but they had somebody in the corner in a suit that was an armed officer in case there was something that came up but he was also a citizen so it made it easy for him.

Scott Garber, Council Member – What city was this?

George Marshall, City Engineer – It was Coppell and we did not require metal detectors, that is for court. It does present a little bit of an image thing and I think you noted earlier and I apologize if I am speaking out of turn but you noted the water bill and so forth, the glass that is one thing Coppell did away with and that increased the customer relations with water.

Scott Garber, Council Member – It just seems to me that it is just a cold barrier between the citizens and people that are supposed to be served.

Jimmie Gregg, Police Captain – As chief eluded to earlier, I have worked the metal detector several weeks many years ago. There is a fine line between someone runs through the metal detector and it goes off, what are you going to do, start searching them? You start being evasive with someone who is coming to an open meeting. Again, that is something you all will have to decide.

Kelly Pickens, Council Member – I can imagine if someone did come in and was armed and you

told them to stop they probably are not going to stop.

Jimmie Gregg, Police Captain – They are not going to stop and we are in that community service mode again so our guard is let down a little bit so if someone wanted to do harm, they can definitely do it.

Scott Garber, Council Member – I like the idea of having the officer there, I could take or leave the metal detector.

Tina Henderson, Council Member – I think the bailiff was a good idea.

Jimmie Gregg, Police Captain – Is everyone aware there is Kevlar lining?

Scott Garber, Council Member – I was going to bring that up maybe if the metal detector goes away an emergency response for council and staff that happened to be at a council meeting, what would you guys recommend happen if this happens?

Jerry Garner, Police Chief – You could also put a panic alarm.

Mayor Heidemann – I hear a consensus here about utilizing the bailiff but doing away with the metal detector.

4. **Hold a discussion and provide staff direction on vaping practices/policies with regard to Lake Dallas and Denton Independent School Districts.**

Jerry Garner, Police Chief – The mayor and I attended a meeting last week for the school districts. Denton and Lake Dallas had called to talk about the issue of vaping that they were dealing with. The problem with the aerosol is there is all kinds of stuff in there including heavy metals, stuff you don't want going into your lungs, which we think, from what the CDC tells us, what is going on with some of the people that are getting so sick.

Vaping is the act of inhaling and exhaling the aerosol, often referred to as vapor, produced by an e-cigarette or similar device. No smoke is produced, but rather an aerosol often mistaken for vapor.

The aerosol contains fine particles containing varying amounts of chemicals and metals which have been linked to cancer, respiratory illnesses, and heart disease.

They can look like all kinds of things and be called by various names and newer terms that we aren't familiar with yet. We will show you some in a few minutes. There are several pieces to it. Although it is rare there have been batteries exploding on these devices.

Devices may be referred to as e-cigs, vapes, e-hookahs, vape pens, mods, and tanks.

Devices can resemble flash drives, cigarettes, pens, flashlights, or have other unique configurations.

Generally a vaping device consists of a mouthpiece, a battery, a cartridge containing e-liquid or e-juice, and a heating element powered by the battery.

When heated the liquid is turned into an aerosol which is inhaled and then exhaled.

The JUUL is something some of you have encountered around the schools. They are popular with the kids because they are easy to hide. They come in many different flavors and some are aimed at kids.

The additional problem that goes with it is the THC that you can inject in there. Hopefully you are not buying that off the shelf but on some of these products, the folks from Lake Dallas High School think that is one of their problems right now, THC is being injected in these as aftermarket, if you will. CDC says to never purchase it off the street because you don't know what you are getting.

Vaping "vapor" contains highly-addictive nicotine and may have had adulterants such as tetrahydrocannabinol (THC) added.

You have seen in the media the same things I think we have as far as the number of deaths, respiratory illnesses around the country that we believe are resulting from these things. Although the CDC can't tell you exactly what the mechanics of this is, what is hurting you, other than it is damaging your lungs. We have had it here in North Texas as well.

HEALTH RISKS

To date at least 6 deaths and over 450 cases of respiratory illness/injury in 33 states have been attributed to vaping.

---U.S. Center for Disease Control (CDC)

The CDC has come out directly and for them to come out with this statement this direct tells how convincing the evidence is to them of telling people to not use these cigarettes.



Youth, young adults, pregnant women, as well as adults who do not currently use tobacco products should not use e-cigarettes.

--U.S. Center for Disease Control (CDC)

We are also finding out from the FDA, although a lot of people are using the vaping products to break a smoking habit. We do not know that it is working. It may be working for some folks but the FDA cannot confirm that it helps you get off cigarettes.



E-cigarettes are not currently approved as a quit smoking aid, and the available evidence is inconclusive on whether e-cigarettes are effective for quitting smoking.

--U.S. Food and Drug Administration (FDA)

A couple of studies we got from the CDC that I thought might be interesting. Mayor, I remember recalling that Lake Dallas High School folks said their percentage was higher than 25 that would be worse than the national average. I know the marijuana folks get mad at us in law enforcement, we talk about a gateway anything but it appears that using e-cigarettes is a gateway to moving on to regular cigarettes from what we are finding in one of these studies.

TWO STUDIES

- Up to 25% of surveyed teens in the U.S. say they have used or are using e-cigarettes.
- High schoolers who used e-cigarettes in the last month were 7 times more likely to have also used regular cigarettes when asked six months later.

Jimmie Gregg, Police Captain – The JUUL is the most popular targeting our school aged kids. This is the top selling brand in the U.S. It looks like a flash drive. The pod refill is about \$15 - \$20. The vape machine is rechargeable.

Mayor Heidemann – You are saying one vape is 20 cigarettes?

Jimmie Gregg, Police Captain – That cartridge is about 20 cigarettes.

Mayor Heidemann – You are hooked once you get through with that?

Jimmie Gregg, Police Captain – Pretty much and the way the kids are using it these days, you smoke a cigarette and you are done with it. These vape machines you take hit after hit after hit and they can use a full pod in one day. The way they market these, the flavors, count chocola who is that targeting? It is not you Mr. Garber, they are targeting our kids. Strawberry, watermelon and they actually smell pretty good, they are attractive to the youth. What we hear in our school districts is wide-spread use in

bathrooms and in the classroom settings. Teachers are taught to look for kids who may pull their hoodie down and lean over. The JUULs don't create a lot of vapor that you see, like the other units.

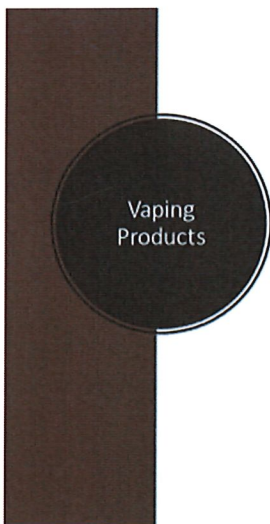
Mayor Heidemann – Do they inhale that or do they discharge it?

Jimmie Gregg, Police Captain – These they inhale more than the actual. I will show you a mod but yes, they are actually inhaling it.



- **JUUL**
- Top selling e-cigarette brand in the U.S.
- Less vapor, more nicotine (up to 6% nicotine per pod)
- Single Juul pod contains nicotine as a pack of 20 cigarettes
- Resembles a flashdrive therefore it is easily hidden by youth
- Widespread use in classrooms and bathrooms

The mods/tanks, they contain e-juice or e-liquid. They come in a variety of flavors that are appealing to the youth. This one is harder to conceal. It creates a vapor smoke cloud. It has less nicotine and has a longer battery life. There is more control because you have to push a button to fire it up. You can create more of a nicotine hit for each use but I do not know, I have never used one.



- **Mods or Tanks**
- Larger device, harder to conceal
- More vapor, less nicotine (nicotine levels vary on the e-juice used)
- Longer battery life

We have vape pens, they are sleek and discrete as well, very similar to the JUUL. It also works off the pod system. This one is refillable. They have some that look like cigarettes, I believe they are called Blu, so many different varieties and brands, it is ridiculous.

Vaping Products



- Vape pens
- Can be sleek and discrete

The e-juice/vape juice the most common ingredients are water, vegetable glycerin, propylene glycol, nicotine and flavoring.


Vaping Products



- E-Juice/Vape Juice
- Common vape juice ingredients are:
 - water, vegetable glycerin, propylene glycol, nicotine, and flavoring.

Scott Garber, Council Member – Were these devices confiscated from our school districts?

Jimmie Gregg, Police Captain – No and here is some marketing, again back in the 70's and 80's you could market these different flavors and now they are doing it again with JUUL. Different flavors, you are going after one thing, our youth. Same thing on the JUUL market front, same things, notice all these folks are fairly young. This was taken at a store here in Corinth. It show you they are here and people are buying them up and again they are being marketed to our kids. I know with the new law you have to be 21 or older to buy it but they are falling into the hands of our kids.



Advertising



Jerry Garner, Police Chief – I thought one other point that was interesting, if you looked at their advertising you know the candy and the sweet stuff aims at the little kids but they are getting the big kids too. The girls are going to get you if you are vaping. If you can see the ads, this is a really social, loving thing to do. It will make you hot and popular. It is kind of like the old cigarette ads.

In looking at this the staff thought these assumptions were safe and our job as adults, whether school officials or law enforcement, city officials – we have to duty of trying to protect these kids, maybe protect them from themselves but we have a role to play in trying to stop them from using or discourage them from using them.

ASSUMPTIONS

1. Adults should make their own informed decisions about the potential hazards and benefits of vaping.
2. Efforts should be made to prevent minors from vaping or to encourage them to stop if they have already started.

There's some responses of different kinds, education may be the most valuable but as discussed with the school officials, there are two different kinds of messages, for adults and young people. The mayor talked about our excellent communications department here at the city, where we could work on whether it be through social media or otherwise messages for the parents. For the kids, that is something the school districts are going to work on. We as law enforcement have offered to help with videos or presentations. Regarding enforcement, what the schools can do as far as penalty or sanctions. The

schools have collected all kinds of this equipment from kids. The president has asked the FDA to look into this so we may see something soon from the FDA. Municipal ordinances, we have a very comprehensive, robust ordinance that council passed here back in 2014 that covers smoking, tobacco products and e-cigarettes so you were far thinking in coming up with a good one already.

POTENTIAL RESPONSES

Education

- Messages for parents
- Messages for young people

Enforcement

- School-imposed penalties
- State/federal laws and regulations
- Where appropriate, municipal ordinances

There is one change that the state doesn't have but I thought it might be interesting for you to see, this went into effect September 1st. It modified a state law that was already in effect raising the age up to 21 for tobacco products, cigarettes or e-cigarettes. You have to be 21 to have it, if you have it illegally that is a crime. If you give false information to a clerk that is also a crime.

Effective Sept. 1, 2019

An individual who is younger than 21 years of age commits an offense if the individual:

- 1) Possesses, purchases, consumes, or accepts a cigarette, e-cigarette, or tobacco product; or
- 2) Falsely represents himself or herself to be 21 years of age or older by displaying proof of age that is false, fraudulent, or not actually proof of the individual's own age in order to obtain possession of, purchase, or receive a cigarette, e-cigarette, or tobacco product.

---HB 1908 amending Section 161,251, Health and Safety Code

With that statute, a retailer that negligently sells that to someone under 21 can be cited for that too which is a misdemeanor. The difference in the state law and our law that we passed back in 2014, we have the age as 18 and the state says 21. That potential thing that council could do is move it up to the same as the state. We are here to hear what council would like for us to do additionally.

Under this same statute it is also illegal to sell or give, with criminal negligence, a cigarette, e-cigarette, or tobacco product to someone who is younger than 21 years of age.

(Violations are a Class C Misdemeanor)

Scott Garber, Council Member – Do we currently ticket people under the age of 21 now, if we see them with an e-cigarette?

Jerry Garner, Police Chief – Here is something that is interesting, yes we can, unless they are on a school campus or on a school bus in a school facility. Back in 2013 the legislature decided school districts were using the police too much for things they should be handling. Two kids fighting on the campus whereas the principal used to handle that stuff, some schools were having the police take that over and charge both kids with disorderly conduct. The legislature said basically you cannot write a summons, you cannot take enforcement against a kid for a class c misdemeanor. This is a class c misdemeanor so they have taken that away from us so basically what we can do, if we encounter them at school a SRO can take their stuff away and give it to the school. Ironically if the kid is across the street from the school vaping then we can charge them with a class c misdemeanor but we can't on campus which is an oddity of the law.

Scott Garber, Council Member – So the THC that is being added to these things, do we have a way, if we have a reason to believe, can we test for that?

Jerry Garner, Police Chief – One of the problems, the tests are very expensive so you want to be sure you have a case that is worth prosecuting. It is \$500 - \$600 per test and the prosecutor for our county has said that is on the PD if they want to have it tested. We are at council's pleasure for what you would like to see.

Scott Garber, Council Member – I am not exactly sure from the city's perspective besides updating the age on our ordinance. It seems like there is already laws and the education is going to go through the schools. We will have some Facebook education in general but kids are not of Facebook anyway.

Sam Burke, Mayor Pro-Tem – Do the school districts have some kind of presentation that they have a link to that they provided to you?

Jerry Garner, Police Chief – They talked about putting something together. I am not sure if it is in existence or not but they talked about it last I heard. That is when we volunteered to help.

Sam Burke, Mayor Pro-Tem – We can send out some kind of news announcement with a link on our website.

Jerry Garner, Police Chief – Our intent is to follow up with the schools to see what their plan is and how we can help.

Kelly Pickens, Council Member – Does state law trump ours?

Sam Burke, Mayor Pro-Tem – You just want it to be consistent.

Patricia Adams, Messer, Rockefeller, & Fort – The law allows us to do things expressly preempted so I would vote this section of the safety code we can adopt ordinances that are comparable, equivalent or more stringent than state law except that we can't affect anything that is the age, 21 is 21. We can also enact laws that go in gaps where they are not specifically regulated by state law. I think there are options for the school district. There are process where they just don't usually want to go to the trouble to do it where a few years ago when they made that change about writing tickets, it was to get the school to make better boards and I know those get filed with city prosecutors and prosecutors will look at those and will determine if they are going to prosecute that case and move forward that way, it is just a matter that they cannot write a citation anymore. There is still a process, my experience has been since that law changed because of that process they have to go through the school districts are not doing that, it is too labor intensive. If you have options, they just usually do not have the staffing to be able to do that. I am sure they would probably do it if it was something significant or they might want to look at it as an initiative to get out there and start letting those kids know that they are going to get sent to the court and will have to deal with this with mom and dad because they are juveniles and mom and dad have to take off work to go down there with them if they are 16 or under 17. There are options it is just too labor intensive. Chief called me last week and was telling me about this and unfortunately I was out of town but I had some research done while I was gone and asking some of the other attorneys in the office if other cities were doing anything and so far we haven't seen anybody doing anything more specific. Corinth already has something in place so you are all kind of ahead of the curve on that one with what you have in place prohibiting smoking which included the e-cigarettes so we will keep an eye on it as people come up with ideas and bring that back if there is something that we think would be helpful. I talked with the Chief about it to see if that is something you are interested in doing.

Mayor Heidemann – As far as Pumpkin Palooza, how do you enforce something like this in an activity?

Jerry Garner, Police Chief – It is not incredibly easy and to be very honest with you, it is not a huge high priority for what we ask our officers to do because again we are in the community relations mode. If somebody has a great big cloud of vapor around them we will say something to them. Same thing if they are walking through with a cigar blowing smoke on everybody. If they are careful, covert about their smoking we are probably not going to get involved with them at all. I don't know that we have issued any summons on tobacco violations or e-cigarette violations because what we generally try to do is to do it by warning, asking if they know it is against the law. Most of the time, virtually all the time that works but it would be something we would challenge, certainly if we see it going on with Pumpkin Palooza and had a chance to do that. It would be against the law because it would be in a public facility.

Mayor Heidemann – Do I hear a consensus from council that we should look at raising our age from 18 to 21?

Kelly Pickens, Council Member – Yes

Mayor Heidemann – The meeting I attended with Chief was with Denton and Lake Dallas ISD but it also had Dr. Harris there from Presbyterian, he is a pediatrician but also chief of staff there. His comments were eye opening from the perspective that to the United States this is relatively new so they have not large database to draw from but where they can go to get the database is in Europe. Europe is

showing that there is some real serious scar tissue in the lungs and also damage to the lungs. Like he said, it is inevitable, it is going to come in time. He said you will really have to look at fighting the same as cigarette smoking. That was the way he summarized it.

Jimmie Gregg, Police Captain – There are already some states that are outlawing the flavors and make it just a base nicotine, the four major ingredients minus the flavoring. This could be something we may see here in Texas.

Mayor Heidemann – We sure do appreciate all you do out there for us and in this respect. What we are trying to protect is our biggest asset we have in our community and that is our children. If we can educate them and make sure everybody is on the same page and everybody doing as much as we can to prevent this that is all we can do.

Jerry Garner, Police Chief – Thank you for your direction.

5. Discuss Regular Meeting Items on Regular Session Agenda, including the consideration of closed session items as set forth in the Closed Session agenda items below.

Sam Burke, Mayor Pro-Tem – The extension on the 380 agreement, is that just to give them more time?

Bob Hart, City Manager – It is giving them additional time, they bought the land so they are start moving forward so we are getting the agreement in relation to that so that is one. The second thing is that they are reducing the number of rooms from 88 to 86. Other than that it is the same thing. And then in light of the building material issues, the building material is addressed in the agreement.

Tina Henderson, Council Member – It is also tying him to the Millennium location before it was anywhere in Corinth.

Bob Hart, City Manager – Yes and we can regulate the building materials.

There was no Closed Session.

CLOSED SESSION

The City Council will convene in such executive or (closed session) to consider any matters regarding any of the above agenda items as well as the following matters pursuant to Chapter 551 of the Texas

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 Bar of Texas clearly conflicts with the Texas Open Meetings Act.

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.

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.

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

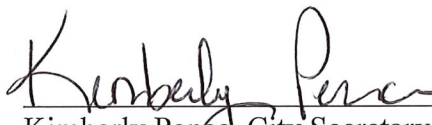
ADJOURN:

Mayor Heidemann adjourned the meeting at 6:24 p.m.

AYES: All

Meeting adjourned.

Approved by Council on the 14 day of November, 2019.


Kimberly Pence, City Secretary
City of Corinth, Texas

