

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

On this the 17th day of October 2019 the City Council of the City of Corinth, Texas met in Regular Session at the Corinth City Hall at 7:00 P.M., located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

Members Present:

Bill Heidemann, Mayor
Sam Burke, Mayor Pro-Tem
Scott Garber, Council Member
Tina Henderson, Council Member

Members Absent:

Lowell Johnson, Council Member
Kelly Pickens, Council Member

Staff Members Present

Bob Hart, City Manager
Jimmie Gregg, Captain of Police
Brenton Copeland, Technology Services Asst. Manager
Helen-Eve Liebman, Planning and Development Director
George Marshall, City Engineer
Ben Rodriguez, Planning and Development Manager
Cody Collier, Public Works Director
Lee Ann Bunselmeyer, Director of Finance, Communication & Strategic Services
Jason Alexander, Economic Development Corporation Director
Patricia Adams, Messer, Rockefeller, & Fort
Kimberly Pence, City Secretary

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE:

"Honor the Texas Flag: I pledge allegiance to thee, Texas, one state under God, one and indivisible".

Mayor Heidemann called the meeting to order at 7:18 p.m., Councilmember Garber delivered the invocation and led in the Pledge of Allegiance.

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 separate

1. Consider and act on minutes from the August 22, 2019 Workshop Session.
2. Consider and act on minutes from the August 22, 2019 Regular Session.

MOTION made by Councilmember Garber to approve the Consent Agenda as presented. Seconded by Councilmember Henderson.

AYES: Burke, Garber, Henderson

NOES: None
ABSENT: Johnson, Pickens

MOTION CARRIED

CITIZEN'S 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.

Danielle, Kaya, 3150 S. Garrison Street - adding to the noise in form of motorcycles starting and possible pollution to storm water by erroneous disposal of oil will interrupt the daily lives of Corinth residents at Kensington Park.

PUBLIC HEARING:

3. **The Corinth City Council will hold a public hearing, consider testimony, and act upon a request for a zoning change from C-2, Commercial to Planned Development (PD) with a base zoning district of C-2, Commercial in order to operate a motorcycle dealership with light repairs on a 1.13 acre tract of land legally described as Kensington Park Addition, Block A, Lot 3 in the City of Corinth, Denton County, Texas, and is more commonly known as 7700 South I-35E. This property is located north of FM 2181, south of Riverview Drive, east of S. Garrison Rd. and west of IH35. (Twisted Cycles Planned Development)**

Ben Rodriquez, Planning and Development Manager - The applicant is requesting a planned development district to facilitate the use of a motorcycle dealership within the structure most recently occupied by Discount Tire.

The City's code of ordinances states that automobile sales are allowed via a Specific Use Permit, however the code is unclear as to whether or not motorcycles are included as an automobile use. Staff reviewed other motorcycle uses currently within the city such as the existing Harley Davidson dealership and discovered that these have historically been permitted via a planned development district to add motorcycle related sales and uses to the properties.

The applicant intends to display a select number of motorcycles in front of the building during operating hours which will be stored indoors after hours. The applicant also intends to provide repair services to customers, including items such as oil changes, tire changes, and accessory installation. The applicant would be allowed to perform major repairs for motorcycles in the future if desired.

Finally, the applicant is proposing the addition of shade structures within a portion of the parking area to provide covered parking spaces for customers during summer months and rainy days similar to the canopies installed by other motorcycle dealerships within the City. All outdoor display and shade structures shall not be permitted in the fire lane at any time.

We received one letter of protest from Kensington Estates Apartments. The planning and Zoning Commission recommended unanimous approval and staff also recommends approval of this item.

Tanner Comey, Owner of Twisted Cycles, 7700 IH-35E - to address the concerns of the Kensington Apartment manager, we are clearly going to follow the EPA regulations on disposal of fluids. I believe her comment was oil. We will not have a huge display, we eat, work and live in Denton County and it would not be any more noise than a motorcycle coming off the frontage road. If they start one up it will be inside the shop and you will not be able to hear that.

Councilmember Garber - how many locations do you have currently?

Tanner Comey, Owner of Twisted Cycles, 7700 IH-35E - right now we have a sister company in Lubbock, Texas and they do cars and bikes there.

Mayor Heidemann opened the Public Hearing at 7:30 p.m. No one spoke during the Public Hearing. Mayor Heidemann closed the Public Hearing at 7:31 p.m.

MOTION made by Councilmember Garber to approve the zoning change. Seconded by Councilmember Henderson

AYES: Burke, Garber, Henderson
NOES: None
ABSENT: Johnson, Pickens

MOTION CARRIED

- 4. Consider authorizing the City Manager to complete the second phase (Phase II) of a Transit Stop Study being conducted with the Denton County Transportation Authority (DCTA) for a transit stop concept plan and a cost estimate for the City of Corinth.**

Bob Hart, City Manager - if you recall, when we did the initial study (Phase I) we had looked at an estimated cost at approximately \$150,000 to do this study with Phase I being done in the last Fiscal Year. We have placed money in the budget but wanted to have formal approval from you to satisfy DCTA so that we can go ahead and proceed to Phase II. The estimated cost is about \$67,000 so it is within the range of the \$75,000 that we had budgeted for. What this allows us to do is communicate to DCTA of a green light to go ahead with Phase II.

MOTION made by Councilmember Burke to approve as presented. Seconded by Councilmember Garber.

AYES: Burke, Garber, Henderson
NOES: None
ABSENT: Johnson, Pickens

MOTION CARRIED

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 Henderson - there is a lot going on with the businesses in our City. Baird Dental is having a ribbon cutting next Wednesday and Chick-fil-a is celebrating 20 years on November 9th and has asked for the Mayor and Councilmember's to be at that. I believe it is at 11:00 am on Saturday, November 9th. The

ribbon cutting will begin at 11:30 but asked that everyone be there early. On October 26th the Fire Department will be having their open house.

Bob Hart, City Manager - I wanted to double check on the attendance for the Lake Dallas Educational Foundation GALA. This will be held on Thursday, November 7th at 6:00 p.m.

Mayor Heidemann - would like to thank the staff especially Lee Ann and Cody for the details on the water issue. Transparency is everything and the City of Corinth does not hide anything and I am really happy to see the staff take those steps to get that information out to the residents and make things happen.

There was no Closed Session during the Regular Schedule meeting.

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 Government Code. **Closed Session may happen at any time during the Workshop Session and before the start of a City Council Regular Session.**

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.

a. MCM Contract for Lake Sharon Roadway Extension.

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 government 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.

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. Closed Session may happen at any time during the Workshop Session and before the start of a City Council Regular Session.

RECONVENE IN OPEN SESSION - In accordance with Texas Government Code, Chapter 551 the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

ADJOURN:

Mayor Heidemann adjourned the meeting at 7:36 P.M.

AYES: All

Meeting adjourned.

Approved by Council on the 9 day of January, 2020.

Kimberly Pence

Kimberly Pence, City Secretary
City of Corinth, Texas

