**STATE OF TEXAS**

**COUNTY OF DENTON**

**CITY OF CORINTH**

On this the 23rd day of May 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

Lowell Johnson, Council Member

Tina Henderson, Council Member

Kelly Pickens, Council Member

**Members Absent:**

None

**Staff Members Present**

Bob Hart, City Manager

Jerry Garner, Chief of Police

Shea Rodgers, Technology Services Manager

Helen-Eve Liebman, Planning and Development Director

Ben Rodriquez, Planning Manager

George Marshall, City Engineer

Cody Collier, Public Works Director

Jason Alexander, Economic Development Corporation Director

Patricia Adams, Messer, Rockefeller, & Fort

Kim 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 7:10 p.m., Councilman Garber delivered the invocation and led in the Pledge of Allegiance.**

**PROCLAMATIONS:**

Mayor Heidemann read the following Proclamations into the record.

* **May 2019 Denton County's Mental Health Month**
* **May 2019 Denton County's Children Mental Health Awareness Month**
* **May 2019 National Stroke Awareness Month**
* **National Public Works Week**

**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 approval to pay the Upper Trinity Water District for materials purchased for Lake Sharon Waterline Bypass in the amount of $62,118.47 and authorize the City Manager to execute any necessary documents.

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

**AYES:** Burke, Garber, Johnson, Henderson, Pickens

**NOES:** None

**ABSENT:** None

**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.

**No one spoke**

**BUSINESS AGENDA:**

**2.** Consider and act upon an ordinance amending the City's Code of Ordinances, Title IX: General Regulations, Chapter 94 Nuisances, Section 94.38 Trash and Rubbish Nuisances. (Trash receptacles)

**Ben Rodriquez, Planning and Development Manager** - Staff is proposing an amendment to the City's Trash and Rubbish ordinance to require that trash receptacles and bulk pick up items be placed adjacent to the street for pick up no earlier than 8:00 am the day prior to pick up and must be removed no later than 8:00 pm on the day following the designated pick-up day.  
  
Staff is also proposing that when not placed adjacent to the street for pick up that trash receptacles and bulk pick up items be placed out of the front building setback and located to the side or rear of the home.  
  
Finally, staff is adding language which specifies that bulk waste items must be placed in accordance with the City's contracted solid waste service's rules and procedures. Such as the removal of refrigerants, and the removal of doors on items such as refrigerators, and washing machines.

Staff recommends approval of this item.

**MOTION** made by Councilmember Henderson to approve the Ordinance amending the City's Code of Ordinances, Title IX: General Regulations, Chapter 94 Nuisances, Section 94.38 Trash and Rubbish Nuisances. Seconded by Councilmember Garber.

**AYES:** Burke, Garber, Johnson, Henderson, Pickens

**NOES:** None

**ABSENT:** None

**MOTION CARRIED**

**3.** Consider and act upon an ordinance amending the City's Code of Ordinances, Title XI: Business Regulations, Chapter 110: Food Service.

**Helen-Eve Liebman, Planning and Development Director -** In February, 2018 the State of Texas amended the State administrative code to make changes to the State's health code. When this change occurred sections of the State's health code that are referenced in our Code of Ordinances were no longer valid. This ordinance amends our Code of Ordinances so that it will now reference the appropriate sections of the State's health code.

Additionally the incorporated changes add provisions for the allowance of dogs and service animals within patio areas to ensure that they are allowed in a safe manner that does not pose a health risk.

**MOTION** made by Councilmember Garber to approve the Ordinance amending the City's Code of Ordinances, Title XI: Business Regulations, Chapter 110: Food Service as presented. Seconded by Councilmember Burke.

**AYES:** Burke, Garber, Johnson, Henderson, Pickens

**NOES:** None

**ABSENT:** None

**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 -** Thank the Planning and Development Department for all the work they are doing updating the City Ordinances.

**Bob Hart, City Manager -** the Council of Government (COG) will be held on Friday, June 14th at the Hurst Convention Center from 11:00 am to 1:00 p.m. and I would like to know how many would like to attend over the next day or two so we can make reservations.

With a new member being elected to Council, TML has the newly elected Councilmember workshop and this year it falls on a Council meeting night. One is on Thursday, July 18th and the other is on Thursday, August 15th. I would like for Mrs. Pickens to attend the training on August 15th and we would cancel the meeting for that evening.

**Mayor Heidemann -** The City of Lake Dallas, and the Lake Dallas VFW is sponsoring a festivity at the cemetery on Monday, May 27th and if any of you would like to attend that would be great. I did receive a call today from Bobby Mitchel and was told that I had been nominated by the Council of Government (COG) and that is quite an honor.

CoServ will also have a Chamber of Commerce Spring Mixer on June 6th and hope we will be able to attend prior to our Council meeting that night.

The Lake Cities Serve was cancelled last weekend due to bad weather. This has been rescheduled for June 8th. This will be a nice event for all the people in the community to help others in need.

**Mayor Heidemann adjourned the Regular Session at 7:33 p.m. \*See Closed Session.**

**There was no Closed Session during the Regular 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

**A. Dobbs Road Right-of-Way**

**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.

**A. Project Daylight**

**B. Project Sundown**

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.

**MOTION** made by Councilmember Burke to authorize the City Manager to make offer to purchase Right-of-Way adjacent to Pecan Creek Plaza as discussed in Closed Session subject to cost participation by the developer. Seconded by Councilmember Garber.

**AYES:** Burke, Garber, Johnson, Henderson

**NOES:** None

**ABSTAIN:** Glockel

**ABSENT:** None

**MOTION CARRIED**

**ADJOURN:**

Mayor Heidemann adjourned the meeting at 8:45 P.M.

**AYES:** All

Meeting adjourned.

Approved by Council on the day of , 2019.

Kimberly Pence, City Secretary

City of Corinth, Texas