

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

On this the 21st day of February 2019 the City Council of the City of Corinth, Texas met in Workshop Session at the Corinth City Hall at 5:45 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
Don Glockel, Council Member
Tina Henderson, Council Member

Members Absent:

Lowell Johnson, Council Member

Others Present

Tom Winterburn, DCTA Representative and Ethics Committee Member
Raymond Suarez, DCTA Executive Director

Staff Members Present

Bob Hart, City Manager
Kim Pence, City Secretary
Patricia Adams, Messer, Rockefeller, & Fort
Helen-Eve Liebman, Planning and Development Director
Lee Ann Bunselmeyer, Finance Director
Cody Collier, Public Works Director
Michael Ross, Chief Fire Department
Jason Alexander, Director of Economic Development
George Marshall, City Engineer
Chad Thiessen, Deputy Fire Chief
Shea Rodgers, Technology Services Manager
Ben Rodriguez, Planning and Development Manager
Cleve Joiner, Building Official

CALL TO ORDER:

Mayor Heidemann called the meeting to order at 5:40 p.m.

WORKSHOP BUSINESS AGENDA:

1. Discussion on upcoming Planning and Development code updates.

Bob Hart, City Manager – Introduced Helen-Eve Liebman, Planning And Development Director.

Helen-Eve Liebman, Planning and Development Director - The Planning and Development Department wanted to bring some items they are working on to Council's attention. The Department is looking at updating:

- The development process, a sequence of events in how things need to process through to approval.
- The Early Model Home Policy, allows builders to start constructing homes in the community before the public infrastructure has been accepted. This is common in other areas. Some of the details are that they would be allowed two homes per builder; require two points of access; water to the fire hydrants, so that the fire fighters can gain access; and meet all the life safety issues.
- The Certificate of Occupancy (CO) requirements, staff has noticed tenants in buildings that do not have a CO or a CO matching the changed use of the building. Staff is looking to change the procedures, so that if there is a change in ownership, use or tenant a CO is required providing the tenant to receive proper inspections.
- The parking ratios, staff has a number of uses listed, but no standards. The standards will allow staff to be consistent, fair and enforceable.
- A Comprehensive Fee update, it has been started, but not completed. The last time the fees were updated was 2004. The departments are in need of this review to make them similar to the neighboring cities in the metroplex.
- Boat and RV parking on residential lots, staff is looking to repair the wording making this enforceable.
- Residential Set Back Reductions, there are inconsistencies between the way the code was written and the industry standard. This will solve the issue.
- Accessory Structure standards, staff is looking to reduce setbacks and square footage allowance based on lot size.

Mayor Heidemann – inquired on how the Homeowner Associations and POA By Laws impact any of this?

Helen-Eve Liebman, Planning and Development Director – The City is not as strict as an HOA and is not party to their deed restrictions and how they enforcement them.

Mayor Heidemann - Who has preference here, POA and HOA?

Helen-Eve Liebman, Planning and Development Director – the City would enforce the ordinances and the HOA's would enforce theirs. Most of the time the HOA's are stricter.

2. **Receive a presentation from Tom Winterburn, Denton County Transportation Authority Representative for the City of Corinth.**

Bob Hart, City Manager – Introduced Tom Winterburn, Denton County Transportation Authority (DCTA) representative and Raymond Suarez, Denton County Transportation Authority (DCTA) Executive Director.

Mayor Heidemann – thanked Tom Winterburn for representing the City well with DCTA and speaking in concert with what the City's needs are.

Tom Winterburn, DCTA Representative – Thanked the Mayor and announced he is still the boardmember representing Corinth with DCTA, regardless of what has been published in the papers. He lightly discussed the disagreement between himself and Judge Eads regarding the lack of regional focus within the future outlook of DCTA. The DCTA board was able to reach a consensus to modify the bill that went to the state legislature. There are some enhancements that would affect Corinth and future member cities, as well. The Board re-alignment would at this time

still favor the three member cities and there will still be two county board seats. Future member cities could contribute a half cent sales tax or equivalent and there was a little bit of negotiating room left with future member cities with a substantial investment of some type; such as a Tax Incremental District that would allow the DCTA Board to consider a future member city by their contributions. He asked Raymond Suarez to discuss the legislative information and moving forward.

Raymond Suarez, DCTA Executive Director – stated last week DCTA met with the legislatures that are taking this bill to the Senate and House. DCTA was pleased with the feedback and did a re-write of the proposed bill and then submitted it. This created a better bill that removed some of the wording of concern. As cities think about joining DCTA it affords them to be added to the system to defray cost to improve ridership. DCTA wants to keep the concept of regionalism alive and will have to find ways to work together. A lot of conversation's are with the City of Corinth and the Lake Cities. There is a lot of excitement for the City of Corinth to join DCTA and have a train station.

The next step that allows the DCTA Board to take action is for the City of Corinth to submit a formal request for DCTA to provide preliminary engineering analysis on the cost associated with building a station and develop a draft proposal for what it would take for DCTA to actually move this forward.

The phases would look like:

1. Develop a proposal and costs analysis associated to build a train stop
2. Contract out to the DCTA engineering team - for initial planning & engineering; feasibility options for potential station locations; there will be at least two different properties; reviewing the economic development prospects, utility relocations, accessibility; what will yield the best return on investment, etc.; type of station single load or dual load side station. Double tracking makes it more efficient, for break downs and multiple trains. They will look at operating costs, ridership, number of cars needed, impact on system and operations.

Once done, if the assumption is to move forward, DCTA can begin to look at the actual cost of joining; capital and operating costs, financing options, etc. There have been some planning take-offs done for conceptualizations of developments around the existing stations to help with educating new councilmembers in other cities to understand the partnership with the City. Putting in a station does not create the success, it will take an economic development strategy around the station. The DCTA board is excited to encourage Council to continue to think in that direction. I think if you do some take offs around economic development in the areas you will be surprised as to how much value the land gains and adds to the City. One of the things missing along the I35E corridor among the cities is building an I35E Corridor Coalition similar to the I35W Corridor Coalition that is anchored by the Hillwood Development that is also working with Jerry Jones and the City of Frisco on the DNT. Developers are looking for places that are easy to develop with incentives and a lot of open space. The I35E Corridor is perfect for this. We will need to ask our consultants for a cost of the proposal and bring it back to you to see if you are interested.

Councilmember Glockel - When ridership goes up, for instance when you are moving furniture from point A to point B and one truck can haul it all that is great, but if you have to add the second truck and can only haul just a little bit until you fill that second truck up, I understand that could be a negative impact; do you ever anticipate say the second car ever fills up to 75 percent is a breaking point or does it ever pay for itself?

Raymond Suarez, DCTA Executive Director - Transit does not typically pay for itself in the U.S, it is subsidized by the federal government. The subsidy typically comes from federal or sales tax, financing of some sort that offsets the costs. In regards to adding the second car, we have a contractor that charges by the hour and by the mile; so the hour takes care of the people side of things, the mileage takes care of all the maintenance, fuel and everything else associated with it. If you are operating one car, that is one car and the number of miles, the minute you add the second car it doubles the mileage, not the hours, but they have to maintain the vehicle, FRA, fuel it, and this cost is recovered with the cost per mile. It literally doubles when a second car is added. The impact to Trinity Mills is paid by DCTA, if DART is impacted due to the DCTA passengers. If the load factor gets high enough that DCTA has to add a second car this will affect the others cities due to an increased cost.

Councilmember Glockel – I have seen ridership percentage and sometimes they pertain to all modes of transportation. Train and Train only ridership.

Raymond Suarez, DCTA Executive Director – Yes, train ridership has been going down year over year around the country. The interesting thing about transit is you will see it runs in cycles. The majority of it is driven by density. The danger of looking at transit is you are looking at it in a six year window of its infancy. Parallel, if TXDOT builds a brand new highway, how long does it take before the density of the highway to increase? It takes time to build it before you see the development. The rail system is the same. This is the reason for the Feds and the County to put their money behind it, long term projections of ridership that are based on connectivity to the Cotton Belt when it came to fruition. Dart financed their portion with completion expected December 2022. Trinity is working on their side and has finished one segment. Now the Cotton Belt is coming in and that will run from Plano to Downtown Fort Worth and those projections for ridership is that at some point DCTA will connect. They are three miles short of this but are in negotiations to make this work. It is not really wise to look at ridership and the downturn right now because the development hasn't happen. When you look at the density around Hebron Station the last eight months it has had the highest ridership in three years due to the density that has been developed around it. The other stations do not have the density.

Tom Winterburn, DCTA Representative – NTCOG will initiate a citizen's survey?

Bob Hart, City Manager – staff has a meeting with them in two or three weeks for planning with their Transportation Department and staff.

Tom Winterburn, DCTA Representative - you have a meeting with NCTC in March, should we be there?

Bob Hart, City Manager – yes, March 4th, I think you would want to sit and listen.

Tom Winterburn, DCTA Representative – I think that is important because the ridership could increase with the students.

Raymond Suarez, DCTA Executive Director – I would encourage you to reach out to Donna Barron and her economic development staff, they will tell you that rail is like a jewel for economic development. When you compare Lewisville and Denton it is very evident when you look at the land values, ridership and the type of development.

Bob Hart, City Manager – Staff is interviewing two TIF consultants tomorrow and will probably show up on Council's March 21st meeting.

3. Review joint meeting presentations.

Bob Hart, City Manager – the joint meeting with the Lake Cities is on Monday, February 25th, at 6:00p.m. at the Public Safety building. The way the agenda is going to work is we are going to have a short presentation from John Cabrales and John Smith on the staff meeting from December and what the outgrowth of that has been. Then Michael Ross and I will do the presentation on the summary of the Fire Department. Then Wendy and I will do a short presentation on some governance discussions. Then I will do a short presentation on Broadband. Andy Eads will be there and Bobby Mitchell and they are on the agenda for comments then there will be discussion. I wanted to show you some of these PowerPoints so that we can fix anything that really bothers you. I will go through them quickly. I will begin with the Fire Overview

Michael Ross, Fire Chief - this is an overview of the service areas and shows a lot more of what we do; involved in the community, the fire suppression, the medical side of it, hazardous materials, neighboring departments, special programs, education and information, emergency management, and siren maintenance. More specifics regarding the community, a briefing on how we impacting over 8,000 children, the high school academy, inspection of businesses, public education appearances, ride outs, etc. Some brief statistics: 3,310 calls and a brief breakdown of where we are spending our time and reference to response times. Since 2009, there has been almost a 50 percent increase in the call volume. The department has over 53 full time employees, including the SAFER positions. The new program funding is from SAFER; as well as being able to reallocate some money back into the Capital Projects Fund; working with Public Works on infrastructure projects, mid-level training for the Captains, master plan up for the fire training field, opened Fire House 3 and working on mitigation plans.

Bob Hart, City Manager – the first bullet there is the Fire Bill we are working on. One of the things we noticed is it would be helpful to have letters from the three cities supporting this effort. I will ask for this support so that we can give it to Senator Nelson's office. The status of these is the Senate bill was assigned to the Intergovernmental Relations Committee and the House has assigned it to Urban Affairs and both have requested a hearing.

Michael Ross, Fire Chief – the changes within the Fire Department has allowed a fresh look with a work study and I have restructured the Command Staff. I think it will be more efficient and allow us to focus on specific tasks that are needed. As part of this, Chad Thiessen has been promoted to Assistant Fire Chief. I am excited about this and believe it be a positive change.

Mayor Heidemann - The prevention specialist is that like a fire inspector?

Michael Ross, Fire Chief – Similar, yes. It is equivalent to Driver pay, so it is not that high in the organizational chart. The intent is to hire someone to go out and do the things that Assistant Chief Thiessen does out of the office allowing Assistant Chief Thiessen to work more with the staff. It is kind of like an inspector but he still has to be a certified firefighter, this will help us meet the requirements of our SAFER grant with the required number of certified firefighter personnel.

Bob Hart, City Manager – This slide just highlights the three stations. Then the service agreement allocation will discuss things from a percentage standpoint. It seems there is not a lot of knowledge of what each city is paying for the fire service. This has been overlaid with the schedule for the end of this budget year.

Councilmember Garber – A few years ago when we looked at residents and call volume as a

percentage they kind of lined up, is this still the case? Are we still around 60 percent?

Lee Ann Bunselmeyer, Finance Director – I would have to go back and look. I think everything is still pretty consistent. I did not see anything when we ran the 2018 numbers.

Councilmember Garber – I want to make sure we are monitoring. Corinth may be the largest, but if we see another city with a large surge we want to allocate that.

Michael Ross, Fire Chief – one of the reports I run breaks this down by month what calls are ran in the four towns, as well as Denton City and Denton County and everyone else. The last line is a percentage change from last year. We track and trend this data. Some of the key things that we know we have to manage and mitigate response times was getting Fire House 3 open. We took a creative approach in attracting applicants by offering them options for scheduling their tests. We re-prioritized our equipment fund and are actively looking at ways to better utilize our funds. I have opened communication and dialogue with the other cities. The feedback I am receiving is positive.

Bob Hart, City Manager – the third item is the structured agreement moving forward, will we continue to be a contract for services or some part of partnership agreement or separate and have different departments. There is a UTA class that is looking at the governance structures for this. It is an MPA program, but Wendy Withers, with Shady Shores is working on her MPA and she is in the class and on this project. This is why she will do the primary discussion on this. This also talks about what we are doing with planning, GIS, mowing, so it is more than just about fire. Hickory Creek is going to piggy back on our mowing contract. There is a lot of conversation going on right now. We will talk about different level of partnerships. At the end of April the students will give a report and then we will take it back to the Councils.

4. Receive a presentation, hold a discussion, and provide staff direction on the 2019 Bond Sell.

Bob Hart, City Manager – This is one that we need some firm direction on. On the Lake Sharon extension where we felt we were going to need some additional funds, are we going to have to rebid the project?

George Marshall, City Engineer – previously they felt they were going to have to rebid; however, the contractor moved forward and the bypass work was completed last week and they plan to finish the rest of the utility work as much as they can. There is a 12 inch water line that needs to be built on the project, but they cannot do it without having a grading contractor on the job. They are talking with a grading contractor to see if they will complete the work on this project. There will be more discussion later on tonight. I caution us on reducing this number due to the Lake Sharon/Dobbs Rd realignment project will cost a little more than anticipated.

Bob Hart, City Manager – the storage tank was estimated at \$3.7 million nine months ago. We are starting to see the impact of the steel tariffs with the cost of rebar. Staff is thinking through an alternative option that would take some of the Quail Run realignment and dump this into the TIF to get some County participation. How good are our numbers going into the grant?

George Marshall, City Engineer – There is \$3.8 million going into the grant application. That number is only in here to assume that we do not get the grant and can try to move forward with part of the project and removing 70 homes out of the flood plain. If we do get the grant funding, then the money is not necessary except for overages on the project.

Bob Hart, City Manager – on the debate on HB 2 and SB 2, the changes in the debt portion of the

tax rate is exempted from any increases. Everything you are hearing in the legislature right now is on the operations and maintenance side, not the debt side, so you are not competing against this same 2.5 percent. A lot of the debate will shift from the House and they are now debating on what percent to cap it at. We have met with Moody's and Standards and Poor and have reaffirmed our bond rating at AA with both agencies.

Councilmember Garber – if all of this is done, what kind of capital projects does the city have in the next five years?

Bob Hart, City Manager – remember this is three years' worth of capital projects that we have rolled into this one year.

Lee Ann Bunselmeyer, Finance Director – there are just a few projects in year four or five.

George Marshall, City Engineer – The Parkridge sewer on the south end was not included in this listing.

Bob Hart, City Manager – staff will try to get development participation and capital recovery fees. Walton is included in the TIF discussion. When the County put up the money for the train and a lot of the track, one of the agreements they received was if Corinth joined DCTA, then NTCOG would provide the money to build the station. I think we can incorporate that into the TIF, then the streets I mentioned came from the discussion with Andy Eads, the Mayor and I.

Councilmember Glockel – the timing between the TIF and the money to be upfront, is there a clue as to how much money that is?

Bob Hart, City Manager – No there is not, I expect COG to put up the majority of the money and the EDC will be a big part of this. Then use the Hotel Occupancy Tax to help with the ramp up of money. We will be able to address the operating cost quicker than they think we will. On March 4th with NCTC, we need to make sure we have them on board and their ten acres will be a part of the TIF because we will have to get the density up to make the rails station work.

Councilmember Garber – so tonight, we need to give direction on this, when is this going to become cemented before or after the water rate discussion?

Bob Hart, City Manager – this will come back to you on March 7th.

Councilmember Garber – when will Council discuss the water rates?

Lee Ann Bunselmeyer, Finance Director – the end of March or first of April.

Councilmember Garber – I am concerned about the 7 percent increase in the water rate side and I have some ideas I would like to explore, but I do not think this will affect the fact that we need an elevated storage tank and then we still have budget to get through. We have to say this is something we are going to do because we have to make that decision now.

Bob Hart, City Manager – The state is mandating the water tank.

Mayor Pro-Tem Burke - Part of the Quail Run realignment goes with this.

George Marshall, City Engineer – along with Lake Sharon, we have to run a 20 inch water line

across I35 over to Quail Run.

Mayor Pro-Tem Burk – so everything except Parkridge, is water tower funding on the water side.

Bob Hart, City Manager - the impact to the water rates are these numbers here.

Councilmember Garber – my question is; the city over collected last year and was so heavy on the top end I wanted to discuss that and doing research on our tax rate and water rates, best I can tell we have the highest water rates of other cities but also one of the lower city tax rates. Is there an opportunity to address some of this elevated storage tank because it is such a large capital expenditure out of our ad valorem tax rather than the water rate?

Lee Ann Bunselmeyer, Finance Director – That is always Council prerogative to do so, if you wanted to pay for a water project out of the general fund you could do so. I would prefer you put it in with the general debt and be included in the tax rate instead of doing a transfer from the general fund to the water fund. Basically include it in as a general project.

Councilmember Garber – does this discussion and agreement need to happen before we approve this?

Lee Ann Bunselmeyer, Finance Director – No, we can handle that when we talk water rates and budget. I am pretty sure your \$10 million for general debt will not have a tax rate impact on your general fund I & S rate. One of the options to Council is to defer those for two years and that is really what I would recommend because on year three the City's debt falls off drastically. If you add that \$5 million in, I don't think you will have as big an impact on your tax rate as it would your water rate.

Councilmember Garber – This is the potential impact as we sit today, but we still have to get through the water rates and budget discussions and see how things fair out and it may not look like this.

Lee Ann Bunselmeyer, Finance Director – Correct. Every year the money can be reallocated and shifted between the funds during budget discussions for the upcoming year.

Bob Hart, City Manager – When you shift it you do not want to just transfer money. The transferring between funds would catch us on the structure of the SB 2 and HB 2 tax cap.

Mayor Heidemann - asked for a consensus. Council gave consent to staff to proceed with the 2019 Bond Sell.

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

Consent Item #3 Discussion:

3. **Consider and act on award of contract with WCD Enterprises LLC for grounds maintenance for Corinth City Hall and the Public Safety Facility.**

Councilmember Glockel – On item 3 & 4, is this what we sent out to the bidders? What did they see to bid off of? Was it a hard copy or online? Item #3 was for the Corinth City Hall and Public Safety Facility, as a contractor what would I have seen?

Cody Collier, Public Works Director – Garrett with GIS provided aerial photos with redlines and calculated the square yardage area and we asked for a square yardage price.

Councilmember Glockel – on the agenda item it talks about the first thing that went out to bid was City Hall and Public Safety Facility, WCD is the successful bidder, City Hall and it is not a big deal, but City Hall is slighted at 7,000 square foot on one slide and 6,832 on another slide, so if we get down to 6,832, I assume we are trying to get precise, is it 7,000 or 6,832? This is what the bid reflects. When you go through that bid, this item is for Public Safety Facility and City Hall, but item #4 is supposed to be for the Corinth Right of Way, Parks and Public Works Facility on page 63. The contractor is now bidding Parks and Right of Way, if this came to me as a contractor you have ten items out of nine of which you want bids back on. Another page you have to check off what you want bids for and there are discrepancies in the square footage, locations, and names.

Cody Collier, Public Works Director – this is not what the contractor bid was; each part was separated by bid tabs based on the name of the locations.

Councilmember Glockel – when you go to streets, I could not find some of these streets. Did he have something that had streets on it or just an aerial photo with not one land mark?

Cody Collier, Public Works Director – that is what they saw. They are invited to call and they have an opportunity to ask questions, contest the area calculations, or walk the locations. D&D has had this bid for two years, this will be their third year.

Councilmember Glockel – next year, if we can put street references it would make it a lot easier. On the Right of Way, not one street is marked on any of these maps.

Cody Collier, Public Works Director – in the front, there should be a legend map with each mow area assigned a particular color. The inner maps could not control all the information, so each mow area was designated a particular color that has the street references on the legend map.

Councilmember Glockel – What is the square footage of City Hall?

Cody Collier, Public Works Director – When the square footage is calculated staff tries to include the tree line in the back and to be fair to the contractor for the bid staff tries to estimate on the high side for the tree line.

Consent Item #4 Discussion:

- 4. Consider and act on award of contract with D&D Commercial Landscape Management for mowing and related maintenance to all Corinth Right of Ways, parks and the Public Works Facility.**

This item was discussed along with Item #3. See comments above.

Consent Item #8 Discussion:

- 8. Conduct a public hearing to consider testimony and take action upon a rezoning request for an approximately 24.197 acre tract of land to amend the PD, Planned Development District for the Millennium Mixed Use Development. The property is situated in the H. Garrison**

survey, Abstract Number 507, City of Corinth, Denton County, Texas and generally located at the northeast corner of IH35 and Dobbs Road. (Millennium PD Amendment).

Bob Hart, City Manager – Councilmember Johnson has sent a statement to be read during the Council meeting on this item.

Councilmember Glockel – I understand the parking and signage. I take offense to the third paragraph on page 133,

“The original PD regulations pertaining to the required non-residential building space required failed to provide staff with the means to prohibit the issuance of a building permit for a second urban residential ‘multifamily’ structure which has led to some less than desirable outcomes.”

Council made a motion that carried, but we did not write the proposal that failed to provide staff with the means to prohibit the issuance of the building permit. Staff failed to provide staff with the means to prohibit the issuance. We wanted it that way. I am not sure what that means apparently it was not written correctly so that you could not hold the second permit. That was the entire intent of that evenings negotiations was to have one of two units could be occupied and the other one could not be occupied until 15,000 square feet of commercial property was CO’ed. Council did not write that, so if something failed to give staff the proper tools to do that it was not Council. Council generally agreed but did not write it up.

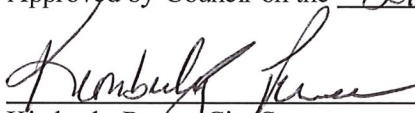
ADJOURN:

Mayor Heidemann adjourned the meeting at 7:05 p.m.

AYES: All

Meeting adjourned.

Approved by Council on the 21st day of March, 2019.


Kimberly Pence, City Secretary
City of Corinth, Texas

