

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

On this the 7<sup>th</sup> day of June 2018 the City Council of the City of Corinth, Texas met in a Workshop Session at 5:30 pm at the Corinth City Hall, 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  
Scott Garber  
Don Glockel  
Lowell Johnson  
Sam Burke, Mayor Pro-Tem  
Tina Henderson

**Members Absent:**

None

**Staff Members Present:**

Helen-Eve, Liebman, Acting City Manager  
Kimberly Pence, City Secretary  
Jason Alexander, Economic Development Director  
Shea Rodgers, Technology Services Manager  
Cody Collier, Public Works Director  
Mack Reinwand, City Attorney

**Ethics Committee Members Present:**

Tom Winterburn, Member

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**CALL TO ORDER FOR WORKSHOP:**

**Mayor Heidemann** called the meeting to order at 5:30 pm.

- 1. 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.**

**CONSENT ITEM #6 Discussion:**

6. Consider approval for repairs to Corinth Lift Station 3A to be performed by Insituform technologies, LLC.

**Councilmember Burke** - are we trying to recoup this from the original contract that caused the damage?

**Mack Reinwand, City Attorney** - TML is paying out the claim. It looks like they are going to pay the whole thing. They have given us initially an amount that was not going to cover the whole claim but they told us they will pay the whole amount once we have a formal bid and contract they will pay the rest.

**Councilmember Burke** - ok, thank you.

**PUBLIC HEARING & item 7a Discussion:**

**Mayor Heidemann recused himself from any discussion on the Public Hearing and Item #7a.**

7. TO HEAR PUBLIC OPINION ON THE RENEWAL OF AN AREA DESIGNATED AS THE CITY OF CORINTH TAX ABATEMENT REINVESTMENT ZONE NUMBER 14-1 PURSUANT TO AND IN ACCORDANCE WITH TEXAS TAX CODE SECTIONS 312.201 THROUGH 312.209, AS AMENDED.

7a. Consider and act on Ordinance renewing the City of Corinth Reinvestment Zone No. 14-1; providing for effective and expiration dates of said zone; repealing conflicting ordinances and resolutions; and providing an effective date.

**Councilmember Glockel** - the expiration date of April 2019 is not the same expiration date as our tax abatement agreement. Are we going to make them both April 3, 2019 and start for 5 years?

**Jason Alexander, Economic Development Director** - yes, so the renewal date will be April 3, 2019 and it will go until April 3, 2024. The agreement actually expires April 2024.

**Councilmember Glockel** - so it is just a matter of clearing up dates? Nothing else is changing, just changing the dates and renewing it in 5 years?

**Jason Alexander, Economic Development Director** - correct.

**BUSINESS Item #8 Discussion:**

8. Consider and act on a Resolution adopting the Water Conservation Incentive Program providing incentives for reduced lawn irrigation and landscape consumption.

**Cody Collier, Public Works Director** - out of the Cities I contacted that has had this program in place for up to 10 years the research has shown an average use of 2% of utility customers applying for rebate incentives. 2% of Corinth utility customers is 145 accounts. With the average irrigation customer utilizing 25,000 gallons per month, a 20% decrease would equate to 5,000 gallons per month per customer.

A 5,000 gallon per month reduction over 145 accounts will reduce water consumption in Corinth by an estimated 725,000 gallons per month, during months which irrigation is used. This ratio equates to a daily decrease of .3% to Corinth's 7.5 million gallon per day subscription with the Upper Trinity Regional Water District. There will be no negative consequences or impact on the capability to fund our water service.

The disappointing news was there is not a lot of participation but it is a good program.

Corinth City Council approved \$20,000 for the 2017- 2018 budget for the water Conservation Incentive Program. The funds to begin the program are currently available. The goal, is to implement the program before the summer months to help our property owners make improvements to their irrigation systems which leads to benefits for everyone.

**Councilmember Burke** - these kind of systems need to be part of our code departments.

**Helen-Eve, Liebman, Planning and Development Director** - through the building permit process?

**Councilmember Burke** - correct.

**Cody Collier, Public Works Director** - there is a lot of changes that are mandatory that the State and TECQ has put in.

**Councilmember Garber** - can we require as part of our codes smart water sprinklers and those types of things?

**Helen-Eve Liebman, Planning and Development Director** - we probably can and a lot of them would be package along with COG recommendations for any of the building codes and local amendments. I made a note of items we can require.

**Councilmember Garber** - they are not expensive and it wouldn't seem that would be burdensome to a new home builder but certainly could save the city a lot. The other cities you looked at that were doing this water conservation, were their water rates as high as they are here in Corinth?

**Cody Collier, Public Works Director** - I didn't look at the cost of their water rates. I was just looking at the volumetric usage.

**Councilmember Garber** - from a homeowners perspective it is difficult to justify the cost of a \$200.00 sprinkler system upgrade when your water bill is \$20.00 a month. Here in Corinth, it is not unheard of to see a \$300.00 a month water bill. I just feel like there would be more demand here in Corinth.

**Councilmember Glockel** - in regards to our smart meters, when are we going to see some benefits from them?

**Cody Collier Public Works Director** - I just had a meeting with them and they had a series of delays for manufacturing reasons. They are shipping them out to us in large volume now. We are looking to be 100% complete and live at the end of this year. I am shooting for October but it may be in the November time-frame. We are pushing them really hard.

**Councilmember Glockel**- so are you going to have to go back and change out the meters?

**Cody Collier, Public Works Director** - yes, they are doing it at their cost. They are changing them all out and I think we have about 250 left to go back and replace. Not only are they replacing the product at their cost they are also utilizing their staff so my staff does not have to go back and duplicate work.

## **2. Discuss and review the proposed Code of Ethics Ordinance.**

**Kim Pence, City Secretary** - The Ethics Commission has had several meetings since January along with the UTA graduate Capstone students to assist in updating the existing Code of Ethics Ordinance. Our current Ordinance has not been updated since 2005.

The Ethics Commission along with the students established procedures, recommended areas for improvement and incorporated a training/education component. They also looked at an independent ethic and compliance hotline. A company that was discussed was Red Flag Reporting. The program promotes safe and ethical behavior in the workplace through on-going communications, telephone hotline and web portal that allows individuals to speak up anonymously when unsafe or unethical activity is noted.

There is also a complaint form that will be used for the complainant to fill out. Some of the changes that were made in the Ordinance were Administrative procedures, acceptance of gifts, reporting procedures and also added a reference in the Ordinance pertaining to the Travel and Training policy that we have in place.

The students researched municipal ethics policies throughout the state of Texas. The City of Denton has been in the process of revising their Code as well and it was determined their template would be best to use to serve as Corinth's.

Tom Winterburn serves and the City's Representative on the Denton County Transportation Authority and also is a member of the Ethics Commission and is available to answer any questions along with myself.

**Mayor Heidemann** - the anonymous program will be incorporated into our website just like the other programs we have? If we have a complaint it will go before the Ethics Commission and it will be discussed there?

**Kim Pence, City Secretary** - yes, it will be on our website. Individuals can also file a sworn complaint with the Corinth Ethics Commission. The form can be submitted by mail, in person or by fax.

**Council Glockel** - where are the reasonable time limits in the new policy?

**Mack Reinwand, City Attorney** - under Section 3-118 there are timelines. It is a quick process and there are some strict timelines in there.

**Councilmember Johnson** - if you are taking an anonymous call how are you going to file a complaint? How do you handle a complaint that is based on an anonymous call?

**Mack Reinwand** - if someone calls in and it is going to turn into an official complaint they would have to file. You will not be able to take something forward on an anonymous complaint without some complainant information.

**Councilmember Johnson** - so if something is determined valid by either the Ethics Commission or somebody how are they are going to be able to track back to that point with no information?

**Mack Reinwand** - that is something that will need to be discussed is how does the phone system translate into an actual actionable complaint?

**Kim Pence, City Secretary** - the Ethics Commission will meet with the company again to get more information.

**Councilmember Johnson** - that would be a question to ask them is how they will be tracking those. Also in the travel policy where does the \$64.00 per day per-diem come from? It didn't come from GSA.

**Kim Pence, City Secretary** - I am not sure how they arrived to that. I can get that information and get back to you.

**Councilmember Glockel** - is the per diem set up according to towns?

**Councilmember Johnson** - that is how the old GSA rates were that the City used to use. Now it is just a flat \$64.00 a day.

**Councilmember Glockel** - a gratuity on \$64.00 is just \$5.00?

**Councilmember Johnson** - it should be a lot more than just \$5.00.

**Mack Reinwand, City Attorney** - part of the reason the travel policy is in here is to see if there is any questions whether the policy pertains to Council. Typically the employment policy does not come to you as a Council unless you decide it does so as part of the discussion tonight is do you want to be subject to follow the same policy the employees follow?

**Councilmember Glockel** - a lot of it has to do with just interpretation in my opinion. I personally do not have any problem following the same guidelines for reimbursement for meals as any staff would have.

**Councilmember Glockel** - I am concerned regarding conferences. It appears to me when I go to a convention and your organization takes the Council out for dinner that seems to me that it is a violation of this policy.

**Mack Reinwand, City Attorney** - under the definition of "Gift" there is an exception for "meals, lodging, transportation and related travel expenses paid for (or reimbursed by) the City in connection with the City official's attendance at a conference, seminar or similar event. Meals, lodging transportation or entertainment furnished in connection with public events, appearances or ceremonies related to official City business, if furnished by the sponsor of such public events"

**Mack Reinwand, City Attorney** - that comes from state law for the meals and transportation and it does allow for that type of meal and entertainment paid for by a client.

**Councilmember Johnson** - is this pretty much the same policy that Denton is using?

**Kim Pence, City Secretary** - yes. The students looked throughout Texas but the template we focused on was with the City of Denton.

**Councilmember Burke** - is this Ordinance fairly similar to what you see?

**Mack Reinwand, City Attorney** - yes, the big question sometimes is who the initial screener of the complaint is and that is where Cities vary. Some Cities send it to a board, auditor, or their attorney.

**Councilmember Burke** - what seems to work best?

**Mack Reinwand, City Attorney** - it would be hard to say. Our office does it for a number of Cities where we are the initial screener. I have seen where a small committee of the actual board does the initial screening and that way you can remove that appearance of the attorney handling it to put it back into the board hands.

**Mayor Heidemann** - so if I understand correctly, the Council would like Kim to go back and follow up on some questions that were asked then bring it back on June 21<sup>st</sup> for additional discussion and possible consideration.

**Councilmember Johnson** - stated he would not be present on June 21<sup>st</sup>.

**Mayor Heidemann recessed into Closed Session at 5:55 p.m. See Closed Session.**

#### **CLOSED SESSION**

The City Council will convene in executive (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.** Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; (2) and/or 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.

**Council met in Closed Session from 5:58 p.m. until 6:09 p.m.**

**a. MCM Contract for the 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 governmental body in negotiations with a third person.

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 6:16 pm.**

Approved by Council on the 19th day of July, 2018

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