

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

On this the 1st day of March 2018 the City Council of the City of Corinth, Texas met in a 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
Joe Harrison, Mayor Pro-Tem
Sam Burke, Council Member
Lowell Johnson, Council Member
Scott Garber, Council Member
Don Glockel, Council Member

Members Absent:

None

Staff Members Present:

Bob Hart, City Manager
Curtis Birt, Fire Chief
Lee Ann Bunselmeyer, Director of Communications & Strategic Services
Barbara Cubbage, Interim Planning and Development Director
Mike Brownlee, City Engineer
Kim Pence, City Secretary
Brenton Copeland, Technology Services Assistant
Mack Reinwand, Messer, Rockefeller, &Fort

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 7:00 p.m., Councilmember Garber delivered the invocation and led in the Pledge of Allegiance and the Texas Pledge.

PRESENTATION: Lance Hendrik gave an update on Keep Corinth Beautiful.

Lance Hendrik – In 2017 we ended up with 450 volunteer hours, 223 trash bag collections. What we ended up doing last year is we took one of our big events and we put that towards the Pumpkin Palooza event, that took a little hit on our trash collections. Last year we started the “Return of the Monarch Butterfly” fly area on the backside of the ballfields. We tried to help the city by providing hybrid seed and getting it to grow from there. This year we’re going to expand it, but start it with plants. We’ll have an event and we’ll actually plant plants.

Last year, the City Manager brought his UTA class in and we did a strategic plan. The group came in and

looked at our situation on where we're growing, where we're stagnant and what are some things we can do. We did find out that we do need some help from the city, that's the only way we're going to get volunteers to come and support what we're trying to do. We are looking at the bigger picture. We want to grow and continue to grow. Mr. Hart is looking for a VISTA opportunity where we can get a person in here, that is funded by another source, they will be a liaison to help us be in contact with the school districts, the scouts and the other organizations so we can grow the Keep Corinth Beautiful program. In 2018 we have some really good board members so I appreciate the processes that you all went through to get us new board members. They have come in with some great ideas. March 24th we have our UNT big event clean-up day. I'm going to increase the number of people we ask for because we are going to help with the Easter egg event that day. We are going to go ahead and do a lot of cleanup. This is the time we go out and clean up and handle all the city flower beds we maintain.

At our last meeting we were fortunate to have Principal Caldwell from the Corinth Primary School visit with us. They are looking at wanting to grow their community garden and community projects. They have a little 4-H club. They want to develop the Cliff Oaks/Tower Ridge Parkway area, that's a geothermal sight where they put geothermal wells. So nothing can be built there. He has a plan and some funds. We are willing to come in there volunteer with man hours and whatever else we can offer them to help.

We will be expanding our Monarch butterfly, we are going to grow it bigger. Almost double the size.

Councilmember Garber – What time on the 24th?

Lance Hedrick – 9:00 am – 2:00 pm. We meet here at City Hall.

Lowell Johnson – I might add for those of you that are coming out, remember it's a clean-up event where we do work. We'll have plenty to do.

Mayor Heidemann - I would like to thank you for all your efforts for what you are doing with Keep Corinth Beautiful. It sounds like you've got that rejuvenated and that you have good focus. Whatever support you need from the Council and from the city, don't be afraid to bring it to the Council and we will be more than happy to discuss it and see if we can help you out. Thanks again for all your efforts and for your leadership in keeping Corinth beautiful.

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 and act on minutes from the February 1, 2018 Workshop Session.
2. Consider and act on minutes from the February 1, 2018 Regular Session.

Councilmember Glockel pulled Item #2 from the Consent Agenda.

3. Consider and act on minutes from the February 15, 2018 Workshop Session.

Councilmember Garber pulled Item #3 from the Consent Agenda.

4. Consider and act on minutes from the February 15, 2018 Regular Session.

MOTION made by Councilmember Harrison to approve Consent Agenda #1 and #4 as presented. Seconded by Councilmember Burke.

AYES: Burke, Garber, Johnson, Harrison, Glockel
NOES: None
ABSENT: None

MOTION CARRIED

CITIZENS 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 during Citizens Comments.

PUBLIC HEARING

9. TO HEAR PUBLIC OPINION REGARDING A REQUEST FROM THE APPLICANT RANDI RIVERA WITH G&A CONSULTANTS, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNERS 777 LAKES, LB FOR A ZONING CHANGE FROM SINGLE FAMILY-3 (SF-3) TO PLANNED DEVELOPMENT SINGLE FAMILY-4 (PD SF-4) ON 55.995 ACRES LEGALLY DESCRIBED AS TRACTS 1C AND 1D OUT OF THE BBB & CRR SURVEY, COUNTY ABSTRACT 190, TRACT 1 OUT OF THE S. KEPHART SURVEY, COUNTY ABSTRACT 721 AND TRACT 1D OUT OF THE GW MCGLOTHLIN SURVEY, COUNTY ABSTRACT 888 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. This property is located south of the proposed Lake Sharon Drive extension and east of FM 2499.
(AT THE APPLICANTS REQUEST, THE PUBLIC HEARING WILL BE CONTINUED TO MARCH 15, 2018 CITY COUNCIL REGULAR SESSION).

BUSINESS: Consider and act on an ordinance amending the Comprehensive Zoning Ordinance being a part of the Unified Development Code, Ordinance No. 13-05-02-08, as amended, for a zoning change from Single Family-3 (SF-3) to Planned Development Single Family-4 (PD SF-4) on 55.995 acres legally described Tracts 1C and 1D out of the BBB & CRR Survey, County Abstract 190, Tract 1 out the S. Kephart Survey, County Abstract 721 and Tract 1D out of the GW McGlothlin Survey, County Abstract 888 in the City of Corinth, Denton County, Texas.

Bob Hart, City Manager – at the applicants request, the public hearing and the business item immediately following will be deferred until the March 15th Regular Council meeting.

MOTION made by Councilmember Glockel to postpone item #5 on the Agenda to the March 15, 2018 meeting. Seconded by Councilmember Harrison.

AYES: Burke, Garber, Johnson, Harrison, Glockel
NOES: None
ABSENT: None

MOTION CARRIED

BUSINESS AGENDA:

Mayor Heidemann recused himself from item #6 from any discussions. He turned this item over to Mayor Pro-Tem Harrison.

6. Discuss and consider approval of a Development Agreement for Huffines Children's Trust including reimbursement provisions for funding water, sanitary sewer and storm sewer public infrastructure improvements in the amount of \$424,049.35 and the reallocation of funds from the Water/Wastewater Capital Project Fund-Amity Village Sewer Rehab project totaling \$307,267 and partial funds from the settlement of \$116,782.35.

Bob Hart, City Manager – This is an amendment to a development agreement that you had previously approved with Huffines development for their project at I-35 and Lake Sharon. It does have the components that deal with the storm water and taking that into our system where there are some public improvements that are made for that. Also for the relocation of a wastewater line and there is a substantial part of the public improvement there. Also for the relocation of a water line and the removal of some of the asbestos line. We have reviewed this during the workshop and we are bringing this to you as a recommendation for an amended development agreement.

MOTION made by Councilmember Glockel to approve the Huffines Children's Trust as written. Seconded by Councilmember Burke.

AYES: Burke, Garber, Johnson, Harrison, Glockel
NOES: None
ABSENT: None

MOTION CARRIED

7. Consider and act on an Ordinance adopting a new Rate Review Mechanism (RRM) Tariff to govern future annual rate filings by Atmos Mid-Tex.

Bob Hart, City Manager – Corinth is a member of the Atmos review of coalition with cities throughout the state. The executive committee for that group has negotiated a rate review mechanism for any future rate filings by Atmos and they have requested the member cities to adopt this ordinance adopting that rate review of mechanism. It would apply to all gas customers within the City of Corinth and presumably all the cities that are members will be passing a comparable ordinance this month.

Mayor Heidemann – When they pass this, this is the same rate for all the cities that were represented under that umbrella?

Bob Hart, City Manager – Yes sir.

MOTION made by Councilmember Burke to approve the ordinance as presented. Seconded by Councilmember Harrison.

AYES: Burke, Garber, Johnson, Harrison, Glockel

NOES: None

ABSENT: None

MOTION CARRIED

8. Consider and act on conducting a Masonic Lodge ceremony to install a cornerstone for the Fire Station #3.

Bob Hart, City Manager – A few comments before I turn this over to Councilmember Garber. The staff has been working with the Masonic Lodge about placing a cornerstone plaque at the corner on the Fire Station #3. A component of that plaque would contain the Masonic Lodge symbols and would be dated for the date of the ceremony, which is tentatively planned, for March 21st at 11:00am. The other side of the corner piece would also have an engraving that would be the dedication plaque for the building as well. That was what had been worked on.

Councilmember Garber – The reason I put this on is not so much, by any means stifling religious freedom in the City of Corinth. What I'm more concerned about is if anybody would have an issue with any of these ceremonies that happen on public property or with a brand new public building that would give us the opportunity to opt out the vote and that is why I requested to put this on the agenda tonight. I do have a question especially the dedication, what's our plan to put on the dedication plaque portion of that?

Bob Hart, City Manager - It's been a while since I've looked at this, so this is from my memory. It has a list of all of the Councilmembers and the staff members that have been involved in the project. So it will be a traditional dedication plaque. There is one out in front of City Hall, as an example, as a bronze plaque. So it would be a comparable plaque to that with the Council listing and the officials.

Councilmember Garber - Is it attached or involved in any way with the Masonic plaque that would be on the corresponding wall? Are they two separate plaques?

Bob Hart, City Manager – If you can imagine, it's kind of a limestone or white and it's a corner piece. One side will have the Masonic symbol and the date of the dedication ceremony for laying of the corner stone if you will, the other side is the one that would have the dedication plaque. What I would probably suggest is if you don't want to do this ceremony, that we would continue to have the corner stone as a dedication plaque and come over on this side and do some kind of dedication piece, perhaps for April 28th when the building is officially dedicated or something along that line, put a Corinth logo it. We would have to come up with an idea, but in that sense it would be the same two pieces that would still fit on the corner,

dedication plaque on one corner and some other piece on the other side.

MOTION was made by Councilmember Garber that we do not move forward with the Masonic Lodge ceremony on the Public Safety Building.

MOTION DIED FOR LACK OF A SECOND

MOTION was made by Councilmember Harrison that we approve conducting the Masonic Lodge ceremony to install a cornerstone on Fire Station #3. Seconded by Councilmember Glockel.

Councilmember Burke – Councilmember Garber, what is your concern?

Councilmember Garber – The larger concern for myself is that I feel that this is different than having religious leaders, from around Corinth of all different creeds, this is a specific ceremony set aside for a specific religious organization to put a plaque of a specific religious nature onto a public building to the exclusion of other parts of the community. What I feel is this is not just praying over a public safety building, this is an actual religious ceremony that is being performed. I feel that it is important that there not be general consent provided to these religious ceremonies and I feel that it is important to be able to opt out. I don't want to be associated with that specific ceremony in this public venue. That is my concern.

Mayor Heidemann – Just for clarification, the Masonic order is not a religious order it is a paternal organization.

Councilmember Garber – I understand but they relate the cornerstone to Jesus Crist.

AYES: Johnson, Harrison, Glockel

NOES: Garber, Burke

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.

Mayor Heidemann – I would like to remind everybody that this Saturday from 9:00 am until 4:00 pm is a visionary meeting for anybody that's interested in coming to City Hall. This is a first step in trying to get some data or some understanding of where we want the city to be going in the future and we need all the input we can get. The more diversity there the better the plan will be. If anybody's available, it's from 9:00 am until 4:00 pm on Saturday.

CLOSED SESSION

There was no closed Session during the Regular Session meeting.

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.

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.

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

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.

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

ADJOURN:

Mayor Heidemann adjourned the meeting at 7:25 P.M.

AYES: All

Meeting adjourned.

Approved by Council on the 19th day of April, 2018.

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