

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

On this the 18th day of January 2018 the City Council of the City of Corinth, Texas met in a Workshop Session at the Corinth City Hall at 5:30 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
Jimmie Gregg, Police Lieutenant.
Mike Brownlee, City Engineer
Lori Levy, Senior Planner
Cindy Deckard, Engineering Services Coordinator
Kim Pence, City Secretary
Brenton Copeland, Technology Services Assistant
Patricia Adams, Messer, Rockefeller, &Fort

Others Present:

Trey Walette, Representative, Crosspointe Community Church of Corinth

CALL TO ORDER:

Mayor Heidemann called the meeting to order at 5:30 P.M.

WORKSHOP BUSINESS AGENDA

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.

Business Item #3 discussion:

Consider and act on an ordinance approving an amendment to the fiscal year 2017-2018 Budget and Annual Program of Services to provide for expenditures of additional funds from the Police Confiscation Fund.

Councilmember Burke - this sounds like a statutory pass-through.

Jimmie Gregg, Police Lieutenant - yes, it is all depending on seized monies that we accrued over the fiscal year. When we budgeted this back in March/April, we had nothing in our account. Since then we were awarded \$9,334 in forfeited funds stemming from a felony drug offense investigation. These investigations usually take anywhere from one to two years and this actually passed through within two or three months.

The Corinth Police Department is anticipating additional forfeited funds from two pending felony drug offense investigations totaling approximately \$20,000.

We are required to submit payments to the Denton County District Clerk and Denton County Criminal District Attorney's Office for fees related to these forfeited funds.

Councilmember Burke - so this is just amending the budget, the money comes in and then the required money goes out?

Jimmie Gregg, Police Lieutenant - yes. What we don't spend we can use on allotted items that are governed through the state mandate for confiscating funds.

Councilmember Glockel - the \$9,334 has some fees that is associated with it. Is that the \$375 plus the \$1,791.80 is what you will pay out of that \$9,334?

Jimmie Gregg, Police Lieutenant - no, the \$9,334 will be awarded to us along the \$1,791.80 as well and we have one pending of about another \$9,000 and we are hoping that is awarded to us in this budget year and that is why we set it at \$20,000. All we are required to pay is the court fees, the District Attorney's Office and the District Court Clerk.

Councilmember Glockel - the \$1,791.80 is a fee you are paying is that correct? Out of the \$9,334, there are two fees correct?

Jimmie Gregg, Police Lieutenant - yes that is their percentage of the cut.

Business Item #4 discussion:

Consider and act on an ordinance to amend the Comprehensive Plan Future Land Use Designation from High Density Residential (Multi-Family) to Low Density Residential (Single-Family) on approximately 6.38 acres of land situated in the E. Marsh Survey, Abstract No. 833, in the City of Corinth, Denton County, Texas. (This property is located on the southwest corner of Lake Sharon Drive and Tower Ridge Road.)

Councilmember Glockel - on page 99, Section 4, the next to the last paragraph "In order for the Commission to consider the rezoning request, the Commission must consider and take action on this request". Are they talking about the Council there?

Lori Levy, Senior Planner - yes that was not changed from the Planning and Zoning Commission. A Comprehensive Plan has to be considered by Council.

Councilmember Glockel - when they talk about the 6.3 acres and talk about access to the Meadows Oak Park. How does the trails get there?

Lori Levy, Senior Planner - there is a connection from the inner trail system within this proposed

subdivision that will lead to the sidewalk off of Lake Sharon and that is considered one of the trail systems for the City that connects out to that park.

Councilmember Glockel - our trails typically are not 4' foot wide. Are we going to leave that section of sidewalk 4' foot wide along Lake Sharon?

Bob Hart, City Manager - yes, along Lake Sharon back over to the park.

Councilmember Harrison - does the Development Code and the Building Code require a masonry fence along Tower Ridge and Lake Sharon?

Lori Levy, Senior Planner - yes, along Tower Ridge and Lake Sharon.

Councilmember Harrison - what will separate this residential area from the Tower Ridge Apartments?

Lori Levy, Senior Planner - a 6' foot privacy fence is what they are proposing.

Councilmember Harrison - I think there is a detention pond or retention pond that is required? Is that going to be protected by some kind of a fencing like wrought iron?

Lori Levy, Senior Planner - it is internal in the development. They have not done all the models for the retention/detention area to see how they plan to do it. It is more than likely going to be in the common area.

Councilmember Harrison - if we wanted to put a wrought iron fence around the retention/detention pond to protect whatever that is there, where would we do that?

Lori Levy, Senior Planner - you can stipulate that in your recommendation. The applicant is here. Since they have not done all the models for the drainage to see exactly what needs to be done, they don't know how large or how deep. They know they have to provide it.

Councilmember Harrison - that would be for item #4 or #5?

Lori Levy, Senior Planner - item #5.

Bob Hart, City Manager - we would actually pick that up on the site review, would we not?

Lori Levy, Senior Planner - it really would need to be attached to the PD in order to have it in the Ordinance. In the interim they have been able to do more models for the drainage and they believe that they will be using the existing retention/detention pond for the Tower Ridge Apartments.

Mike Brownlee, City Engineer - there are different ways to solve the problem. There is an existing pond that does not have an outfall structure that could be improved and that is one option. There is also a wide channel that goes along there that could be used for detention to add more storage volume if we needed it.

Councilmember Harrison - how are you going to protect the residential area, the children from going in to that pond?

Trey Walette, Applicant - there is a 6' foot board on board fence along it and then there would be a 16' foot easement between that and there would back up lots another 6' foot fence on people's property lines. So there will be two fences in between any residence and that detention pond.

Councilmember Johnson - is there going to be any fencing from your far western side from the detention pond along that creek that runs there up to Lake Sharon?

Trey Walette, Applicant - we can certainly do that. Currently existing is a 30' foot drainage easement going along there. So we will improve that detention pond changing the time release and with that improvement it will slow down the time release and stagger it so you won't have that build up. It will be maintained by the HOA.

Business Item #6 discussion:

Consider and Act on a proposal from JCI Controls, Inc. to install and program a new Heating/Ventilation/Air-Conditioning system in City Hall, replacing worn and inefficient units.

Bob Hart, City Manager - this is to replace all of the units in City Hall. The HVAC system was put in place at the time of the City Hall's construction in 2004. The need for replacement was identified in 2016 and included in the CO issue at that time.

Mayor Heidemann - are you going to relocate some of the thermostats where we have built walls in between?

Jennifer Edwards, JCI Controls, Inc. - where the thermostats are should not matter it is where the air blows that is going to matter. That would be an extra sensory in the other room and the two would average and that would balance it out.

Councilmember Burke - what would be the cost of a thermostat?

Jennifer Edwards, JCI Controls, Inc. - I really don't know. If it is a handful there won't be an extra charge.

Business Item #7 discussion:

Consider and act on a 1 year extension of Contract with Community Waste Disposal for solid waste and recycling services.

Bob Hart, City Manager - during a recent contract review, staff discovered the contract with CWD for solid waste collection has an incorrect term provision. The initial contract was established effective January 1, 2013 and was to run five years or ending December 31, 2017. However, the contract provided a termination of December 31, 2018. Staff has prepared a letter agreement exercising the first renewal period and waiving the notification provision contemplated under terms of the contract.

Councilmember Burke - so basically a clerical error in the contract conflicting the dates and the terms so we are making sure everyone is on the same page.

Bob Hart, City Manager - that is correct.

Councilmember Glockel - we talked about recycling centers, did we ever get a confirmation back on where the cardboard recycling is for the general public?

Greg Roemer, President CWD Management, Inc. - I don't know that there is any recycling bins for the general public. Your commercial accounts have recycling bins and that would be for their business usage. The homeowner, we pick up curbside so they can put out all the cardboard they want out on the curb.

WORKSHOP BUSINESS AGENDA:

2. Discussion regarding amending the Comprehensive Zoning Ordinance being a part of the Unified Development Code (UDC) Ordinance No. 13-05-02-08, as amended, Section 2.09.01 Landscape Regulations, Table 15: Approved Plant Material List.

Bob Hart, City Manager - we talked a few months ago about bringing to you a series of changes to the Unified Development Code (UDC) and this is the first of several items we will be bringing to you. This is dealing with the landscaping component of the Ordinance.

Cindy Deckard, Engineering Services Coordinator - the Unified Development Code was adopted in May 2013. Periodically changes and updates are needed to improve the predictability and flexibility of the City's development process. City Council specified earlier this year that native plants should be added to the plant list found in the Landscape Section of the UDC.

The proposed changes to the Approved Plant Material List found in Table 15 adds a Grasses Section to the current list as well as updates to the plant list to remove duplicates and correct errors.

One of changes I would like to recommend in the Ordinance is to change the wording that says "Approved Plant Material List" to say "Recommended Plant Material List" because there are so many options. That will change a lot throughout the Code. I would also like to be able to provide some resources in the section of the UDC of some websites. You can go in and put your zoning, put the City name and it will give you a range of plants, the height, shrubs, trees, grasses, you can be very specific.

Lori Levy, Senior Planner - a lot of projects that come in these grasses and native plants have been requested and put on landscape plans for our projects. Over time we are seeing these repetitive plant material that are more native to our area.

Councilmember Garber - will this speed up our process and be more developer friendly?

Cindy Deckard, Engineering Services Coordinator - it will because it will give them more flexibility.

Councilmember Johnson - I would like to remove the Pear Trees off of the small tree list. When one breaks they all break.

Cindy Deckard, Engineering Services Coordinator - I would like to remove those as well. Every one of the trees on this list has a place it can be planted. The Bradford Pear break, they split and drop, they are not supposed to produce pears but they produce little pears and they get everywhere.

Councilmember Burke - if we change the language from Approved to Recommended, does that

change our discretion of either the Planning and Zoning or the City Council to limit what people can do?

Bob Hart, City Manager - it gives them a wider range and they can play within the zones and will allow the developer and the builder flexibility in what they are doing.

Councilmember Burke - does it take away our authority to say "we don't like that"?

Bob Hart, City Manager - I wouldn't think so. What we are looking for is that final result. Give us a chance to address that.

Councilmember Glockel - does a dead tree of a protected species have to have a permit to take down?

Lori Levy, Senior Planner - they have to state whether it is dead or not. It is to prevent clear cutting. A residential homeowner can remove a tree. On Commercial property or a tree that is in the Right-of-way, we do have to take a look at that. Once it is on private property they can do what they want.

CLOSED SESSION

There was no 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.

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 Workshop meeting at 6:24 P.M.

AYES: All

Meeting adjourned.

Approved by Council on the 15 day of February, 2018.



Kimberly Pence, City Secretary
City of Corinth, Texas

