

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

On this the 14<sup>th</sup> day of November 2019 the City Council of the City of Corinth, Texas met in Special 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  
Lowell Johnson, Council Member  
Kelly Pickens, Council Member  
Scott Garber, Council Member

**Members Absent:**

Tina Henderson, Council Member

**Staff Members Present**

Bob Hart, City Manager  
Jerry Garner, Chief of Police  
Michael Ross, Lake Cities Fire Chief  
Chad Thiessen, Lake Cities Deputy Fire Chief  
Guadalupe Ruiz, Human Resource Director  
Brenton Copeland, Technology Services Asst. Manager  
Helen-Eve Liebman, Planning and Development Director  
George Marshall, City Engineer  
Ben Rodriguez, Planning and Development Manager  
Lee Ann Bunselmeyer, Director of Finance, Communication & Strategic Services  
Jason Alexander, Economic Development Corporation Director  
Maria Johnson, Messer, Rockefeller, & Fort  
Kimberly 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 7:30 p.m., Councilmember Garber delivered the invocation and led in the Pledge of Allegiance.

**PRESENTATION:**

Richard R. Lillie Texas Chapter of the American Planning Association Excellence Award was presented to the Planning and Development Department.

**PROCLAMATION:**

Mayor Heidemann read into the record and Proclaimed November 17-23, 2019 as International Fraud Awareness Week.

**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.

There were no Citizens Comments made.

**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 separate

1. Consider and act on minutes from the September 5, 2019 Workshop Session.
2. Consider and act on minutes from the September 5, 2019 Regular Session.
3. Consider and act on minutes from the September 19, 2019 Workshop Session.
4. Consider and act minutes from the September 19, 2019 Regular Session.
5. Consider and act on minutes from the October 3, 2019 Workshop Session.
6. Consider and act on minutes from the October 3, 2019 Regular Session.
7. Consider and act on an Interlocal Agreement for the Lake Cities Fire Department to provide Ambulance Services to the unincorporated parts of Denton County that are within the boundaries of the LCFD response area.
8. Consider and act on an Interlocal Agreement for the Lake Cities Fire Department to provide fire protection to the unincorporated parts of Denton County that are within the boundaries of the LCFD response area.
9. Consider approval of a resolution adopting a policy on Traffic Incident Management and authorizing the City Manager to execute any necessary documents.
10. Consider approval of entering into a Right-of-way (ROW) encroachment agreement with the developer and Homeowners' Association for the Crosspointe Subdivision located at the intersection of Tower Ridge and Lake Sharon.
11. Consider and act upon an ordinance amending The City's Code of Ordinances, Title IX: General Regulations, Chapter 94 Nuisances, Section 94.36 Noise Nuisances.

**MOTION** made by Councilmember Johnson to approve the Consent Agenda as presented. Seconded by Councilmember Burke.

**AYES:** Burke, Garber, Johnson, Pickens  
**NOES:** None

**ABSENT:** Henderson

**MOTION CARRIED**

**BUSINESS AGENDA:**

- 12. Consider and act on an Ordinance of the City of Corinth, Texas amending Chapter 94 "Nuisances" of Title IX, "General Regulations" of the Code of Ordinances relating to electronic cigarettes and E-Cigarettes.**

**Jerry Garner, Chief of Police** - the increased use of e-cigarettes and related Vaping products, especially among young people, has recently become of increasing concern as the use of these products has risen while more and more health problems related to their use have been identified by the U.S. Centers for Disease Control and other medical authorities.

In addition, local school authorities have reported increased unlawful use of these products by students. The State of Texas recently raised the age for lawful possession and use of these products from 18 to 21. The state statute also provides legal guidance for how these products may be lawfully marketed. Following a presentation to Council by City Staff the Corinth City Council directed that the existing ordinance regulating these products within the city limits of the City of Corinth be revised to mirror the state law.

**MOTION** made by Councilmember Garber to approve as presented. Seconded by Councilmember Burke

**AYES:** Burke, Garber, Johnson, Pickens  
**NOES:** None  
**ABSENT:** Henderson

**MOTION CARRIED**

- 13. Consider and act on an amendment to the City's Code of Ordinances Title VII: Traffic Code, to create a new chapter titled Chapter 72: "Vehicle Idling Restrictions".**

**Ben Rodriguez, Planning and Development Manager** - Mobility 2045, is NCTCOG's current Metropolitan Transportation Plan (MTP) for the region which includes recommendations of policies, programs, and projects that reflect regional priorities and support Mobility 2045 goals.

Mobility 2045 includes a voluntary list of policies that local governments and transportation agencies can choose to adopt. These policies aim to address issues that affect transportation in the region and cover a wide range of topics.

By voluntarily adopting 50 percent of these policies, participating agencies will receive an offset of local funds in federal transportation projects in the form of Transportation Development Credits (TDCs).

On October 3, 2019 the City Council approved a Memorandum of Agreement (MOA) with the Texas Commission on Environmental Quality (TCEQ) enabling the City to enforce the TCEQ's restriction on idling vehicles. A component of that MOA is that the City adopt an implementation plan.

The Ordinance under consideration will establish an implementation plan for the regulation of idling vehicles, by promoting educational efforts such as providing brochures and posters available for residents to read and take with them explaining the rules and details of the new program. Additionally, signs will be erected around the community reminding drivers to limit idling in their vehicles. Finally, it will be our policy to educate

drivers on the regulations rather than issue tickets by providing officers with the brochures to issue to drivers. However, a penalty of up to \$500 is being included for violators of the new idling restrictions and may be used if repeat offenses occur.

**MOTION** made by Councilmember Garber to approve as presented. Seconded by Councilmember Pickens.

**AYES:** Burke, Garber, Johnson, Pickens  
**NOES:** None  
**ABSENT:** Henderson

### **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 Burke** - I do like the removal of the metal detectors and the atmosphere it creates. It seems more open to the public and less restrictive.

**Councilmember Garber** - echoed what Mr. Burke said and it will be a new beginning of openness here at City Hall

**Bob Hart, City Manager** - we are having our annual Thanksgiving lunch on Monday at 11:30 am in the Council Chambers here at City Hall. If you have time come by for lunch.

**There was no Closed Session.**

#### **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. Interlocal Agreement (ILA) with Denton County.**

**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

**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.

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.

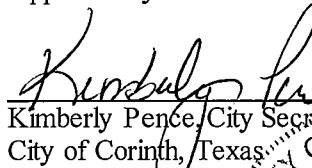
**ADJOURN:**

**Mayor Heidemann adjourned the Special Session at 7:45 P.M.**

**AYES:** All

Meeting adjourned.

Approved by Council on the 23 day of January, 2020.

  
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Kimberly Pence, City Secretary  
City of Corinth, Texas

