

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

On this the 2<sup>nd</sup> day of April 2020 the City Council of the City of Corinth, Texas met in 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:**

Mayor Heidemann  
Sam Burke, Mayor Pro Tem,  
Scott Garber, Council Member  
Lowell Johnson, Council Member  
Tina Henderson, Council Member  
Kelly Pickens, Council Member

**Members Absent:**

None

**Staff Members Present**

Bob Hart, City Manager  
Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director  
Patricia Adams, Messer, Fort & McDonald  
Jason Alexander, Corinth Economic Development Corporation Director  
Helen-Eve Beadle, Planning and Development Director  
Shea Rodgers, Technology Services Communications Manager  
Lana Wylie, Sr. Administrative Assistant

**CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE:**

Mayor Heidemann called the meeting to order at 6:50 p.m. City Manager Bob Hart delivered the Invocation, due to the COVID-19, the Pledge of Allegiance and the Texas Pledge did not take place.

**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 the minutes from February 20, 2020 Workshop Session.
2. Consider and act on the minutes from the February 20, 2020 Regular Session.

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

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

**MOTION CARRIED**

**CITIZENS COMMENTS:**

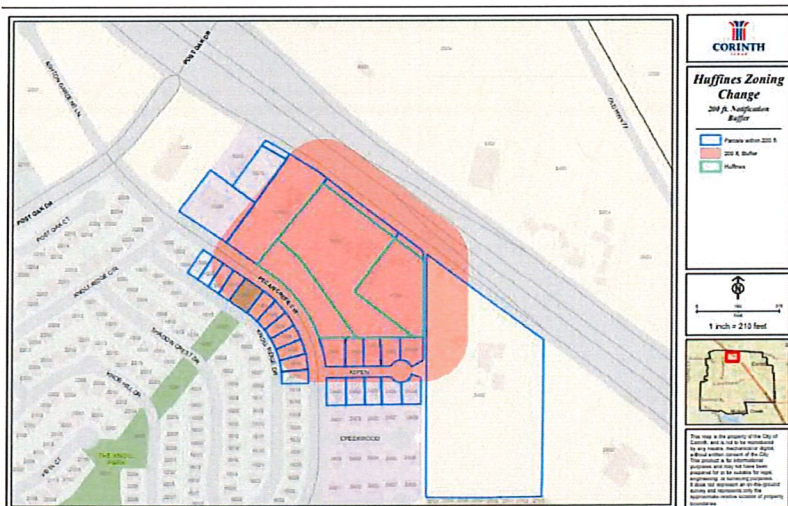
In accordance with the Open Meetings Act, Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes. Comments about any of the Council agenda items are appreciated 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.

**PUBLIC HEARING:**

Mayor Heidemann opened the Public Hearing at 7:18 p.m.

- 3. **Conduct a public hearing, consider testimony, and act upon an ordinance amending the zoning classification from C-2, Commercial to PD, Planned Development with a base district of C-2, Commercial on an approximate 7.12 acre tract of land legally described as Block 1, Lots 6-A1, 6-B1, and 6-C1 of the Pecan Creek Subdivision, and is situated in the William Garrison Survey, Abstract 1545 within the City of Corinth, Denton County, Texas and is more commonly known as 5150 S I-35E, Corinth, TX.( Enterprise PD Zoning)**

**Helen-Eve Beadle, Planning and Development Director** – This item is the Enterprise Rental and used care facility on I-35, just south of Post Oak. It is the former Huffine’s dealership.

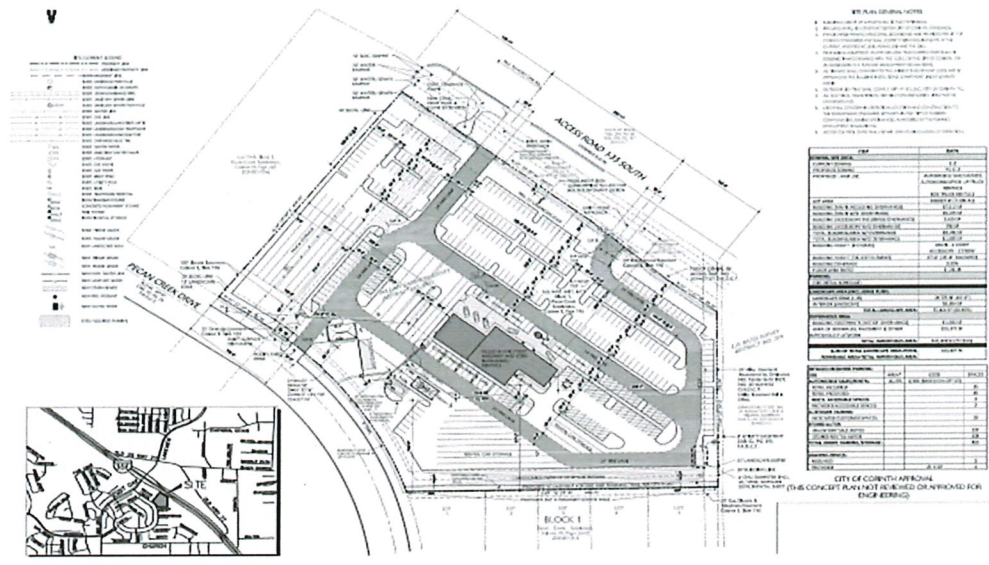


The exhibit in front of you is the public notification which is required by our code if it is within 200'. The notices were sent on January 8, 2020 and again March 17, 2020. We published into the Denton Record Chronicle in January as well as in March. The signs have been posted at the site and at the time of your packet, we had received one letter in support. This afternoon and evening, I have received more, those will be read within the public hearing portion of the item.

The existing zoning on the property is C-2, they are applying for a PD, Planned Development District. The existing Comprehensive Plan identifies the recommended land use for this particular tract, being commercial and it is also important to know that the anticipated draft document of the comprehensive land use plan that we are working on now, also identifies this property as commercial. There will be a based zoning district of C-2, it is to allow for a car, pick-up truck and truck rental facility with associated



used car sales. The way the ordinance has been written; all three uses must occur on the property.



Through the PD, we were able to explain the sensitivity with neighboring residential properties. They worked hard to provide landscaping, berms, as well as screening along Pecan Creek. Another item from the P&Z Commission, as well as the discussion with Council was the 8' masonry screening wall along the southern property boundary. The ordinance also includes the screening wall, along with tree preservation. The proposal is to demolish the existing structure and rebuild. They have gone above on our base code requirements. Our planning consultant and economist for our Comprehensive Plan have both stated the use will bring revenue to the TIRZ, sales tax generating use to the city through the anticipated auto rental tax and provide a balanced development pattern that transitions the freeway expansion to the current residential neighborhoods and to the adjacent site.

Staff recommendation is due to the property's location and visibility, we recommend this item be approved. This property will contribute to the TIRZ. The Planning and Zoning Commission recommended this item unanimously for approval at their meeting in January. Should you motion to approve, staff recommendation is that you approve with the updated tree preservation plan.

**Nettie Zehms, 2401 Aspen Dr., Corinth**

How far do they expect the wall to go? If it goes to the curb, we won't be able to see to get out of our driveway. Why do we need a walking trail there?

**Helen-Eve Beadle, Planning and Development Director** – We will be sure the screening wall does not affect visibility and you will have full clearance to get out of your driveway. The pedestrian plan we have been working on for the city, to connect our parks and other facilities is encouraging of the multi-modal transportation and pedestrian system, we have had a lot of feedback from residents who would like to see it connect.

**Nettie Zehms, 2401 Aspen Dr., Corinth** – I know the people on Aspen don't want a walking trail. We have some that do not even have a back fence. If you have that, you will have people going through their

yards and there's more of a chance of people doing something to vehicles if they have access to the trail.

**Tim Robinson, 7142 Rhoads, Aubrey** – I am the owner 5200 Stemmons, next door. We have had multiple contracts on our property that have been shot down. The feedback I received is that they want high-end retail, they didn't want anymore car dealerships here.

**Helen-Eve Beadle, Planning and Development Director** – I will read those I received. Ms. Zehms at 2401 Aspen wanted to make sure they do not have loudspeakers. Loudspeakers are prohibited in the ordinance. She would like them to preserve her trees as best they can, adjacent to her property, to provide for a natural screen. We also received one from Donald Hester. He stated, he is in bad health and doesn't know how long he will be at 2405 Aspen Dr., Corinth. He does not want this business by his home. To the City Council of Corinth, I urge you to vote no and vote to having them come in, they are bad for our neighborhood. The last one is from Ben and Nita Priddy at 2403 Aspen, Corinth. They advise that they are in support as long as the proposal includes all of the previous remedies of the neighborhood's concerns: the 8' wall masonry requirement, tree conservation, lighting controls and no intercoms. They are in favor of the business in the area. This current property is an eyesore at this point and has become a place of loitering.

**Mayor Heidemann closed the Public Hearing at 7:23 p.m.**

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

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

**MOTION CARRIED**

- 3. Conduct a public hearing to consider testimony and take action on an amendment and possible restatement to the City's Comprehensive Master Plan "City of Corinth 2010 Comprehensive Plan" adopted by Ordinance No. 10-05-06-12 by adopting an ordinance approving a new Comprehensive Master Plan entitled "Envision Corinth, 2040 Comprehensive Plan." (Comprehensive Plan)**

**THE PUBLIC HEARING LISTED ABOVE WILL NOT BE HELD. THE ITEM IS INCLUDED ON THE AGENDA BECAUSE NOTICES WERE POSTED IN THE CITY'S NEWSPAPER OF RECORD, THE DENTON RECORD CHRONICLE. THE PUBLIC HEARING WILL BE RE-NOTICED ONCE SOCIAL GATHERING RESTRICTIONS ARE LIFTED.**

**Bob Hart, City Manager** – Due to the virus and delay with the Planning and Zoning Commission, we are asking this item to be deferred until a future item. We will want to have another public meeting for the P&Z before we bring it forward to the City Council. I wouldn't anticipate it until approximately June, but we will re-notice prior to the meeting, at that time.

**Mayor Heidemann** – You would like to table this item?

**Bob Hart, City Manager** – Yes



**BUSINESS AGENDA:**

5. Consider and act on a Resolution ordering the General election scheduled for May 2, 2020 be postponed until Tuesday, November 3, 2020; making findings related thereto, and providing an effective date.

**MOTION** made by Councilmember Johnson to approve as presented. Seconded by Councilmember Henderson.

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

**MOTION CARRIED**

6. Consider and act on an Ordinance ordering a Joint Special Election scheduled for May 2, 2020 be postponed until Tuesday, November 3, 2020.

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

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

**MOTION CARRIED**

7. Consider and act on an Ordinance of the City Council of the City of Corinth, Texas and the Temporary Board of Directors of the Proposed City of Corinth Fire Control, Prevention and Emergency Medical Services District postponing the Joint Special Election until Tuesday, November 3, 2020.

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

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

**MOTION CARRIED**

8. Consider and take appropriate action on an Ordinance declaring a local state of disaster for public health emergency for the City of Corinth; providing Orders related thereto; providing a penalty; and providing an effective date.

**Bob Hart, City Manager** – This is an ordinance related to a local declaration of emergency, the mayor has issued that declaration and it requires action or approval within seven days. The ordinance is in your packet and the city attorney is available for any questions related to this ordinance.

**Councilmember Burke** – Is there any question whether this ordinance oversteps the authority we have currently?

**Patricia Adams, Messer, Fort & McDonald** – This ordinance is consistent with the governor’s order. Based on the order that is currently in place, the states order, the mayor and the city manager have decided City Hall should be closed for limited purposes, allowed to be open for limited purposes and various staff members working remotely; that has been taken care of.

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

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

**Bob Hart, City Manager** – I would like to thank everyone for their patience, I thought this went well.

**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

**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 Bar of Texas clearly conflicts with the Texas Open Meetings Act.

**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 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.**

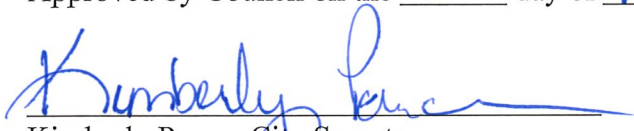
**ADJOURN:**

**Mayor Heidemann adjourned the Regular meeting at 7:27 p.m.**

**AYES:** All

Meeting adjourned.

Approved by Council on the 7 day of May, 2020.



Kimberly Pence, City Secretary  
City of Corinth, Texas

