



CITY COUNCIL WORKSHOP AND REGULAR SESSION - MINUTES

Thursday, August 18, 2022 at 5:50 PM

City Hall | 3300 Corinth Parkway

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

On this, the 18th day of August 2022, the City Council of the City of Corinth, Texas, met in Workshop & Regular Session at the Corinth City Hall at 5:45 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:

Council Members Present:

Bill Heidemann, Mayor
Sam Burke, Mayor Pro Tem
Scott Garber, Council Member
Tina Henderson, Council Member
Steve Holzwarth, Council Member
Kelly Pickens, Council Member

Staff Members Present:

Lee Ann Bunselmeyer, Interim City Manager
Lana Wylie, City Secretary
Patricia Adams, City Attorney
Jerry Garner, Police Chief
Chad Thiessen, Fire Chief
John Webb, Planning and Development Director
Glenn Barker, Public Works Director
Elise Back, Director of Economic Development
Guadalupe Ruiz, Human Resources Director
Chris Rodriguez, Interim Finance Director
George Marshall, City Engineer
Shea Rodgers, Chief Technology Officer
Lance Stacy, City Marshal

CALL TO ORDER

Mayor Heidemann called the meeting to order at 6:31 P.M.

WORKSHOP AGENDA

1. Receive a report, hold a discussion and provide staff direction on the election methods for the Mayor Pro Tem.
The item was presented and discussed.
2. Receive a report and hold a discussion on business retention within Corinth.
The item was presented and discussed.

3. Receive a report, hold a discussion, and provide staff direction on the Fiscal Year 2023 Annual Program of Services and Capital Improvement Program.

The item was presented and discussed.

4. 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.

No items for the Regular Meeting were discussed.

ADJOURN WORKSHOP

Mayor Heidemann adjourned the Workshop Session at 8:25 P.M.

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

Mayor Heidemann called the Regular Session Meeting to order at 8:31 P.M.

CITIZENS COMMENTS

Please limit your comments to three 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. Council is prohibited from acting on or discussing items brought before them at this time.

Mallory Anthony, 1800 Copper Leaf Dr., Corinth, addressed the City Council regarding the fencing ordinance.

Citizen Comments may be viewed via [Audio/Video: Video](#).

CONSENT AGENDA

All matters listed under the consent agenda are considered to be routine and will be enacted in one motion. Should the Mayor or a Council member 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 August 4, 2022, City Council Meeting.
2. Consider and act on an ordinance of the City Council of the City of Corinth, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., mid-tex division regarding the company's 2022 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas open meetings act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the company and the ACSC's legal counsel.
3. Consider and act on the fiscal year 2022-2023 budget for the Fire Control, Prevention, and Emergency Management District.
4. Consider and act on the fiscal year 2022-2023 Proposed Budget for the City of Corinth Crime Control and Prevention District.

5. Consider and act on a contract with Gee Consultants, Inc., for materials testing for the Commons at Agora, in an amount not to exceed \$106,307, and authorizing the Interim City manager to execute the necessary documents.
6. Consider and act on a contract with Gee Consultants, Inc., for materials testing for the TOD Streets, in an amount not to exceed \$86,488, and authorizing the Interim City manager to execute the necessary documents.

Motion made by Council Member Garber to approve the Consent Agenda as presented. Seconded by Mayor Pro Tem Burke.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

BUSINESS AGENDA

7. Consider and act on approval of a Right-of-Way and Subdivision Entrance(s) Maintenance Agreement between the City of Corinth and the Lake Sharon Property Owners Association (POA).

Motion made by Council Member Garber to approve the Lake Sharon Property Owners Association Maintenance Agreement, with an effective date of October 1, 2022, and authorize the City Manager to execute the agreement. Seconded by Mayor Pro Tem Burke.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

8. Consider and act on approval of a Right-of-Way and Subdivision Entrance(s) Maintenance Agreement between the City of Corinth and the Meadows Oak Homeowners Association (HOA).

Motion made by Mayor Pro Tem Burke to approve the Meadows Oak Homeowners Association Maintenance Agreement, with an effective date of October 1, 2022, and authorize the City Manager to execute the agreement. Seconded by Council Member Garber.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson
Voting Abstaining: Council Member Pickens

9. Consider and act on approval of a Right-of-Way and Subdivision Entrance(s) Maintenance Agreement between the City of Corinth and the Oakmont Property Owners Association (POA).

Motion made by Mayor Pro Tem Burke to approve the Oakmont Property Owners Association Maintenance Agreement, with an effective date of October 1, 2022, and authorize the City Manager to execute the agreement. Seconded by Council Member Henderson.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

10. Consider and act on a resolution of the City Council of the City of Corinth, Texas adopting a proposed FY23 municipal tax rate that will not exceed the voter-approval tax rate; calling a public hearing to be held on September 15, 2022 at Corinth City Hall at 7:00 p.m.; requiring publication of a Notice of Public Hearing on Tax Increase in accordance with state law; providing for the incorporation of premises; and providing an effective date.

Motion made by Mayor Pro Tem Burke to approve a resolution placing a proposal on the September 22, 2022, Council Agenda to consider a FY 2023 property tax rate of \$.56000, per one hundred dollars (\$100) of

valuation, which exceeds the no-new-revenue tax rate of \$0.51338 and the De Minimis Tax Rate of \$0.54583, but does not exceed the voter-approval tax rate of \$0.56010, and to set the public hearing on the proposal to consider approving the tax rate for Thursday, September 22 at 7:00 p.m. at Corinth City Hall at 3300 Corinth Parkway, Corinth, Texas 76208. Seconded by Council Member Garber.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

The purpose of this section is to allow each Council Member the opportunity to provide general updates and/or comments to fellow Council Members, 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 Council Member may direct that an item be added as a business item to any future agenda.

Council Member Burke thanked the Finance staff for the budget presentation.

Council Member Garber suggested that Technology Services staff should produce a video regarding the budget.

Council Member Henderson shared Enterprise Car Sales ribbon cutting date/time is September 29, 2022, at 4:00 P.M. and encouraged attendance.

Interim City Manager Bunselmeyer reminded the City Council of the Staff Development Day on August 25, 2022. City Hall will close at noon.

Mayor Heidemann thanked the Finance staff for their work on the budget and also thanked Elise Back, Economic Development Director for working with the business community regarding business retention.

Mayor Heidemann recessed the Regular Meeting and immediately convened into Closed Session at 8:45 P.M.

CLOSED SESSION**

In accordance with Chapter 551, Texas Government Code, Section 551.001, et seq., (the "Texas Open Meetings Act"), the City Council will recess into Executive Session (closed meeting) to discuss the following items. Any necessary final action or vote will be taken in public by the City Council in accordance with this agenda.

Section 551.071 - Legal Advice. (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 conflict with Chapter 551.

- a. Unauthorized third-party use of City-owned property and authorization of eviction proceedings.
- b. Broadband.
- c. Animal Control.

Section 551.074 - Personnel Matters. 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.

- a. City Manager.

Section 551.087 - Economic Development. 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 project.

a. Project Agora.

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

Mayor Heidemann recessed the Closed Session and immediately reconvened into the Regular Session Meeting at 9:08 P.M.

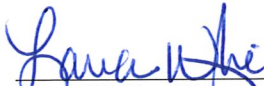
ADJOURN

Mayor Heidemann adjourned the Regular Session Meeting at 9:08 P.M.

AYES: All

Meeting adjourned.

Approved by Council on the 18th day of September 2022.


Lana Wylie, City Secretary
City of Corinth, Texas



CONFLICT OF INTEREST AFFIDAVIT

THE STATE OF TEXAS

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COUNTY OF DENTON

I, Kelly Pickens, as a member of the City of Corinth, City Council, make this affidavit and hereby on oath state the following: I have a substantial interest in a business entity or real property as defined in Chapter 171, Texas Local Government Code, and a vote is to be taken or a decision is to be made that will have a special economic effect on this business entity or real property.

The agenda item on August 18, 2022, affecting this business entity or real property is: Item 8.

COMPLETE (A) or (B): (A) The business entity is Meadow Oaks HOA (name); or
(B) The real property is located at: _____.

I have a substantial interest for the following reasons: (check all which are applicable)

- Ownership of 5% or more of the voting stock or shares of the business entity.
- Ownership of more than \$600 of the fair market value of the business entity.
- Funds received from the business entity exceed \$600 in gross annual income.
- Real property is involved, and I have an equitable or legal ownership of the property with a fair market value of more than \$600.
- A relative of mine has a Conflicting interest in a pending matter that would be affected by a decision of the public body of which I am a member.
- Serves on the Board of Directors or as an Officer of a business entity; and/or
- Serves on the Board of Directors or as an Officer of nonprofit corporation.

Per Chapter 39, of the Code of Ordinances, the term Conflicting interest shall not include ownership of an interest in a mutual or common investment fund that holds securities or assets unless the City Official participates in the management of the fund.

Upon filing of this affidavit with the City Secretary, I affirm that I will abstain from voting on any decision involving this business entity or real property and from any further participation on this matter by discussion or debate.

Signed this 18 day of August, 2022.

Signature of Official

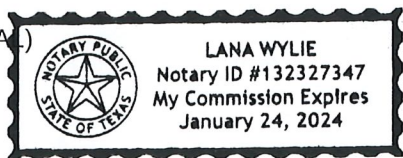
The State of Texas
County of Denton

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Before me Kelly Pickens Lana Wylie on this day personally appeared, _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 18th day of August, 2022.

(SEAL)



Notary Public in and for the State of Texas