

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

On this the 6<sup>th</sup> day of June 2019 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:**

Bill Heidemann, Mayor  
Sam Burke, Mayor Pro-Tem  
Lowell Johnson, Council Member  
Tina Henderson, Council Member  
Kelly Pickens, Council Member

**Members Absent:**

Scott Garber, Council Member

**Staff Members Present**

Bob Hart, City Manager  
Shea Rodgers, Technology Services Manager  
Helen-Eve Liebman, Planning and Development Director  
George Marshall, City Engineer  
Cody Collier, Public Works Director  
Lee Ann Bunselmeyer, Director of Finance, Communication & Strategic Services  
Jason Alexander, Economic Development Corporation Director  
Cleve Joiner, Building Official  
Patricia Adams, Messer, Rockefeller, & Fort  
Kim 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 7:00 p.m., City Manager, Bob Hart delivered the invocation and led in the Pledge of Allegiance.

**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 May 9, 2019 Workshop Session.
2. Consider and act on the minutes from the May 9, 2019 Regular Session.
3. Consider and act on minutes from the May 14, 2019 Special Session.
4. Interlocal Cooperation Agreement for Shared Governance Communications & Dispatch Services System with Denton County

5. Consider and act on an Interlocal Cooperation Agreement for Shared Governance Communications and Dispatch Services for the 2019-2020 Fiscal Year with the Denton County Sheriff's Office.

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

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

**MOTION CARRIED**

**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.

**No one spoke**

**BUSINESS AGENDA:**

6. Consider approval of entering into an agreement with Lake Cities Municipal Utility Authority (LCMUA) for wastewater service at the southern end of Parkridge Drive and authorize the City Manager to execute any necessary documents.

**George Marshall, City Engineer** - For the last 18 months City Staff and LCMUA Staff have worked together to analyze if it would be feasible to send the wastewater from the City of Corinth's basin to the LCMUA lift station south along Parkridge rather than constructing a new lift station.

LCMUA Board approved this agreement on 5/20/19.

The City of Corinth hired Kimley Horn in early 2018 to evaluate the cost and feasibility of sending Corinth wastewater to the LCMUA lift station. Kimley Horn assisted the City in 2017 in developing the new water and wastewater impact fees. That fee study included a future project to construct a 0.5 MGD lift station for approximately \$2,200,000. The proposed plan with LCMUA is a phased alternative to this earlier plan. It is important to note that the costs provided within the agreement are only estimates. Over time, staff will bring forward to council actual values for design and construction.

Interim Phase I System Improvements will require a sewer line to be constructed in Corinth (staff anticipates this portion to be part of a future developer's responsibility for the Culbertson Property) along with an additional sewer line to be constructed, by LCMUA, from the Corinth City limit to the existing gravity sewer.

This second sewer line will be approximately 800 LF and would include a metering station. LCMUA would bill Corinth for this cost directly via escrow. LCMUA would provide engineering fees for approval and then after bidding would provide us with the final construction costs. Additionally, LCMUA will need to make improvements at their lift station. These improvements will provide Corinth with approximately 60 GPM total capacity.

Interim Phase II System Improvements include replacing the pumps at the lift station which would provide an additional 150 GPM of capacity. The agency that needs this capacity first, will pay for this \$100,000 estimated investment. In total this improvement would provide the City with 210 GPM of capacity.

The Ultimate System Improvements would support a capacity of 450 GPM for the City of Corinth and a total flow of 1,340 GPM when combined with LCMUA. The ultimate system will require improvements to LCMUA's Lift Station as well as Corinth's Westside lift station.

These improvements would include routing LCMUA's force main into Corinth's force main along FM 2818 as well as a pump replacement to handle the resulting increased head pressure. The necessary improvements to LCMUA's lift station will be shared between both agencies based on flow rates (Corinth 450 GPM/LCMUA 890 GPM, ~ 33.5% Corinth/66.5% LCMUA).

Additional gravity improvements will be necessary to increase gravity capacity to LCMUA's lift station will be 100% Corinth cost.

Additionally, there is a potential for subdivision improvements around the LCMUA's lift station. The attached agreement includes provisions to provide necessary improvements around the lift station to avoid future increased impact and cost to the city.

Breakdown of Costs

	Phase	Corinth	LCMUA	Total
1	Interim: 1A	\$1,300,000		\$1,300,000
2	LCMUA Ph 1	\$420,000	\$65,000	\$485,000
3	Ultimate: Westside Lift station	\$167,910.45	\$332,089.55	\$500,000
4	LCMUA Ph 2	\$760,000		\$760,000
5	LCMUA LS#21	\$503,731.34	\$996,268.66	\$1,500,000
6				
7	Total:	\$3,251,641.79	\$1,393,358.21	\$4,645,000
8	Interim (60 GPM)*	\$1,720,000	\$65,000	\$1,785,000
9	Interim + (60+150 GPM)*	\$1,820,000	\$65,000	\$1,885,000
10	Ultimate (450 GPM)*	\$1,431,741.79	\$1,328,358.21	\$2,760,000

Initially when comparing the cost of building a lift station or to connect to LCMUA it appears that the City cost would be \$3,251,641.79, however the first item on line 1 (\$1,300,000) is the cost to carry a gravity line from FM 2181 along to the southern City limit. This is normally considered a developer cost unless the size is necessary to be larger than 12" in diameter. The necessary size will not be larger than 12" in diameter. Thus, the cost for tying into the LCMUA system is \$1,951,641.79.

**Councilmember Burke** - you eliminated the developers cost because you think that cost will ultimately be recovered, is that right?

**George Marshall, City Engineer** - We can talk about all kinds of different cost share options as a developer comes through. I eliminated it because to me it was apples and oranges and so I took that number out so it we wasn't apple to oranges, this is the lift station costs not the gravity to the lift station.

**Mayor Heidemann** - where are the funds to do this come from?

**George Marshall, City Engineer** - the next agenda item we will be asking for 75,000 for the design and that would come from Wastewater impact fees and I believe we have \$800,000 currently however there is a certain amount that is already allocated to another project.

The Planning and Development Department recommend approval to enter into this mutually beneficial agreement with LCMUA, pending final legal review. Further council action will be required as final costs are developed.

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

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

**MOTION CARRIED**

7. Consider concurrence/approval with the proposed agreement between LCMUA and Belcheff & Associates, Inc. (BAI) for the design of the Sycamore Bend Sewer gravity collection line as outlined in the attached and outlined in the Interlocal Agreement for wastewater services along Parkridge Drive, in the amount of \$66,500 for Design, bidding and Construction Administration and allow for a budget of an additional \$8500 for survey for a total amount of \$75,000 and authorizing the City manager to sign any necessary documents.

**George Marshall, City Engineer** - per the prior agenda item, Interlocal Agreement with LCMUA for wastewater service along Parkridge Drive, this authorization to spend \$75,000 to design the initial phase of the wastewater system. This would be the initial step in moving forward with this Interlocal agreement.

City Staff concur with LCMUA in contracting with BAI for the design of this improvement. Per the agreement, the City will place the funds in an escrow account and LCMUA will invoice the City as the design moves forward. This interim phase will provide 60 GPM and also provide the design plans for the Interim additional capacity of 150 GPM for a total capacity for Corinth of 210 GPM.

After LCMUA bids the project, staff will present construction costs for Council approval.

**Councilmember Pickens** - this will handle future development.

**George Marshall, City Engineer** - it will handle a good portion of that development.

**Councilmember Pickens** - when you estimate what the build out will be in those areas that will serve half of that?

**George Marshall, City Engineer** - almost half. Remember one of the properties is Acme Brick, and that will be a long time down the road.

**Councilmember Henderson** - so you said the \$75,000 is included in the \$1,951,641.79 or is this separate from that?

**George Marshall, City Engineer** - yes, it is included in the \$420,000. The numbers are construction and design it is not just construction cost.

The Planning and Development Department recommend approval/concurrence with the contract between BAI and LCMUA and authorizing \$75,000 for this project.

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

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

**MOTION CARRIED**

8. Receive an overview and demonstration of the City's new website.

**Lee Ann Bunselmeyer, Director of Finance, Communication & Strategic Services** - we hope to launched the newly redesigned website on Monday, June 10, 2019. There are some things that are still in progress and so we may have to push it back a day or two. We started the website in January 2019. We did a citizens survey and came up with a lot of ideas from the residents as far as what they wanted to see on the website.

For more than six months the website committee has worked on the design, content migration, and functionality. The updated site reflects the City's commitment to improving quality of service and communication to our residents with new and improved features.

The City and the Economic Development Corporation has very different customer sets that are wanting to come in and see information. With this new website, we developed basically two sites to meet the needs and put our best foot forward when we look at development.

Lee Ann Bunselmeyer went through the various pages of the website.

**Councilmember Pickens** - who is going to update all the information? There is so much on here and that is a big job.

**Lee Ann Bunselmeyer, Director of Finance, Communication & Strategic Services** - we have 14 individuals that we classified as the web masters for the different departments and we have Emily Beck is our Communications and Marketing Coordinator that we hired a few weeks ago and she will meet with each department twice a year to review every one of their pages to make sure the information is current and that we are keeping it updated.

We have a news release that we will send out once the website is up and once a week we will start pushing out on social media reminders saying "hey did you know this is on the website" and highlight all the areas that we are pushing the information out from.

**No Motion necessary**

9. Consider and act upon an Ordinance amending the City's Code of Ordinances, to repeal Section 150.31: Fees, of Chapter 150: Building Regulations, of Title XV: Land Usage, and adopting a new Title XVI: Fee Schedule, setting forth various fees for building permits and inspections; and providing an effective date.

**Cleve Joiner, Building Official** - HB 852, signed by Governor Abbot on May 21 prohibits cities from using the valuation of the work being performed as the basis for deriving permitting fees. Corinth, like most cities

in Texas, has permit fees which utilize valuation to calculate the fee for a building permit. Staff is proposing an amendment to the City's fee schedule that would calculate permitting fees on a square footage basis.

Additionally, this amendment to the Code of Ordinances will begin the process to collate all of the City's fees into a single, easy to access location.

**Mayor Heidemann** - are the fees going to be published?

**Cleve Joiner, Building Official** - yes.

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

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

**MOTION CARRIED**

10. Consider authorizing the City Manager to enter into an Interlocal Agreement (ILA) with the Denton County Transportation Authority (DCTA) to conduct a transit stop concept and cost estimate for the City of Corinth.

**Helen -Eve Liebman, Planning and Development Director** - A significant component in the preparation of the TIRZ is identifying the feasibility and location of a rail stop. Such an analysis is within the purview of DCTA. Therefore, staff proposes to engage the engineering firm of Lockwood, Andrews, and Newman, Inc (LAN) through an ILA with DCTA. The study will identify potential locations within Corinth, project the ridership, and provide a preliminary budgetary cost estimate for a stop. If the preliminary numbers indicate the feasibility of a stop, the city will need to conduct phase 2 of the study and initiate discussions with DCTA for securing a stop.

Phase I includes station location and station concept, infrastructure modifications and operational analysis. Phase II is full project implementation and rough order of magnitude for the station facility, track corridor and systems, impact to operating expenses and A-train enhancements.

Phase I subtotal is \$85,760.04 and Phase II subtotal is \$58,776.00 for a total of \$136,388.64.

Staff is recommending approval of the agreement and authorization for the City Manager to sign and execute the agreement.

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

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

**MOTION CARRIED**

11. Consider and act on an agreement with ICHOOSR, LLC Texas Power Switch Program.

**Bob Hart, City Manager** - the proposed program will provide residents an opportunity to register and participate in the ICHOOSR program wherein the company will arrange a competitive bidding process of

retail energy suppliers to procure competitive electricity rates for participating residents. This is an alternative to the Power to Choose program and is entirely voluntary and offered at no cost to the resident or city.

Following are results from four cities that are currently participating in the program and resident savings:

#### **FARMERS BRANCH OVERALL FIGURES**

Targeted households	<b>10588</b>	
Registered households	<b>875</b>	
% Reached households	<b>8.3%</b>	
Accepted offer	<b>312</b>	
% Accepted offer	<b>36%</b>	
Savings that stay in local economy	\$	<b>155,064.00</b>

#### **FATE OVERALL FIGURES**

Targeted households	<b>2963</b>	
Registered households	<b>279</b>	
% Reached households	<b>9.4%</b>	
Accepted offer	<b>86</b>	
% Accepted offer	<b>31%</b>	
Savings that stay in local economy	\$	<b>46,784.00</b>

#### **LAKE DALLAS OVERALL FIGURES**

Targeted households	<b>3244</b>	
Registered households	<b>200</b>	
% Reached households	<b>6.2%</b>	
Accepted offer	<b>57</b>	
% Accepted offer	<b>29%</b>	
Savings that stay in local economy	\$	<b>30,837.00</b>

#### **RICHLAND HILLS OVERALL FIGURES**

Targeted households	<b>3470</b>	
Registered households	<b>161</b>	
% Reached households	<b>4.6%</b>	
Accepted offer	<b>38</b>	
% Accepted offer	<b>24%</b>	

Savings that stay in local economy \$ 18,658.00

**Councilmember Henders on** - do they shop all providers and compare apples to apples?

**Bob Hart, City Manager** - they will put out a bid to all the electric providers and assuming the providers bid, then you will get to see that as an option. They look at both energy cost, the transmission cost and the local distribution cost so you do see an apples to apples approach.

**MOTION** made by Councilmember Johnson to approve the agreement with ICHOOSR, LLC Texas Power Switch Program as presented. Seconded by Councilmember Burke.

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

**MOTION CARRIED**

12. Consider and act on appointment to the Keep Corinth Beautiful Commission.

**Bob Hart, City Manager** - we have one vacancy on the Keep Corinth Beautiful Commission. We did receive an application from Michelle McNally and you had an opportunity to interview with her earlier this evening.

**MOTION** made to appoint Michelle McNally to the Keep Corinth Beautiful Commission. Seconded by Councilmember Pickens.

**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.

No discussion.

**Mayor Heidemann recessed the Regular Session at 8:05 p.m. \*See 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. MCM Contract for Lake Sharon Roadway Extension**
- B. Todd Anthony Foust v. City of Corinth and the Lake Cities Fire Department, Cause No.18-8885-431, 431st Judicial District, Denton County, Texas.**

**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

**Council met in Closed Session from 8:05 p.m. until 8:23 p.m.**

- A. 3101 Garrison Road**
- B. 2003 Corinth Parkway**

**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.

**Council met in Closed Session from 8:05 p.m. until 8:23 p.m.**

- A. Project Daylight**

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.

**Mayor Heidemann reconvened the Regular Session at 8:25 p.m.**

13. Consider and act on the Termination and Settlement Agreement for Paving, Drainage and Water Improvements for Lake Sharon Drive, by and between the City, Magnum Construction Management, LLC f/k/a Munilla Construction Management, LLC, and Berkshire, Hathaway Specialty Insurance Company; and authorizing the Mayor or his designee to execute necessary documents.

**MOTION** made by Councilmember Burke to move to authorize the conveyance of the property located at 3101 Garrison Road, more commonly identified as the old fire administration building and the property located at 2003 Corinth Parkway, more commonly known as the old police building to

the Corinth EDC as discussed in closed session. Seconded by Councilmember Henderson.

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

**MOTION CARRIED**

14. Consider and act on the Tender Agreement for Completion of the Lake Sharon Drive Project, by and between the City, Berkshire Hathaway Specialty Insurance Company, and Wildstone Construction, LLC; and authorizing the Mayor or his designee to execute necessary documents.

**MOTION** made by Councilmember Burke to move to authorize the City Manager to execute documents for Project Daylight as discussed in Closed Session. Seconded by Councilmember Johnson.

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

**MOTION CARRIED**


**ADJOURN:**

Mayor Heidemann adjourned the meeting at 8:45 P.M.

**AYES:** All

Meeting adjourned.

Approved by Council on the 18 day of July 2019.

  
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Kimberly Pence, City Secretary  
City of Corinth, Texas

