



\* \* \* \* PUBLIC NOTICE \* \* \* \*

**NOTICE OF A CITY COUNCIL SPECIAL SESSION  
OF THE CITY OF CORINTH**

**Thursday, September 28, 2017, 5:30 P.M.  
CITY HALL - 3300 CORINTH PARKWAY**

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**\*NOTICE IS HEREBY GIVEN** of a Special Session of the Corinth City Council to be held at Corinth City Hall located at 3300 Corinth Parkway, Corinth, Texas. The agenda is as follows:

**CALL TO ORDER:**

**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.

**BUSINESS AGENDA**

1. Board members and new applicant interviews.
2. Consider and act on nominations, appointments, resignations and removal of members from Keep Corinth Beautiful Commission.
3. Consider and act on nominations, appointments, resignations and removal of members from the Planning and Zoning Commission.
4. Consider and act on nominations, appointments, resignations and removal of members from the Zoning Board of Adjustments.
5. Consider and act on nominations, appointments, resignations and removal of members from the Board of Construction Appeals.
6. Consider and act on nominations, appointments, resignations and removal of members from the Citizen Finance Audit Committee.

7. Consider and act on nominations, appointments, resignations and removal of members from the Ethics Committee.
8. Consider and act on nominations, appointments, resignations and removal of members from Corinth Economic Development Corporation,

#### **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.

#### **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 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**

Posted this 22nd day of September 2017 at 11:30 on the bulletin board at Corinth City Hall.

Kimberly Pence  
Kimberly Pence, City Secretary  
City of Corinth, Texas

**City Council Special Session**

**Meeting Date:** 09/28/2017  
**Title:** Keep Corinth Beautiful  
**Submitted By:** Kim Pence, City Secretary  
**Finance Review:** N/A  
**City Manager Review:** Bob Hart, City Manager

**Legal Review:** N/A

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**AGENDA ITEM**

Consider and act on nominations, appointments, resignations and removal of members from Keep Corinth Beautiful Commission.

**AGENDA ITEM SUMMARY/BACKGROUND**

Keep Corinth Beautiful serves as an advisory committee to the Mayor and City Council regarding litter prevention, beautification and community improvement, and the minimization of solid waste. The Board presents its objectives to the City Council so all city activities might follow a common purpose. The Committee mission is to empower Texans, through education, to take responsibility for enhancing their community environment.

**Duties / Responsibilities**

- Develop citywide refuse and environmental policy plan(s);
  - Evaluate City actions in light of that policy;
  - Determine and recommend to the City Council management and program priorities on a citywide basis;
  - Recommend enforcement and additional program alternatives;
  - Monitor City performance from data collected he Keep America Beautiful, Inc. Affiliate System guidelines and make an annual report to the City Council; and
  - Carry out such other tasks as the City Council may designate.
- Composition / Tenure

Members will be nominated by and approved by the City Council. The commission shall consist of representatives from business and industry, media, community organizations, education, and members at large.

The term of each member shall be two (2) years.

**Keep Corinth Beautiful**

Place 1	Lowell Johnson, Council Representative	September 30, 2018
Place 2	Jimmie Lance Hendrik, Chairman	September 30, 2017
Place 3	VACANT	
Place 4	Kristin Fisher	September 30, 2017
Place 5	Cindy Taylor	September 30, 2017
Place 6	VACANT	

**RECOMMENDATION**

Recommendation/Appointment is at Council's discretion.

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**BUSINESS ITEM 3.**

**City Council Special Session**

**Meeting Date:** 09/28/2017

**Title:** Planning and Zoning Commission

**Submitted For:** Bob Hart, City Manager

**Submitted By:** Kim Pence, City Secretary

**Finance Review:** N/A

**Legal Review:** N/A

**City Manager Review:** Bob Hart, City Manager

**AGENDA ITEM**

Consider and act on nominations, appointments, resignations and removal of members from the Planning and Zoning Commission.

**AGENDA ITEM SUMMARY/BACKGROUND**

The purpose of the Planning and Zoning Commission (P&Z) is to act as an advisory board on all matters relating to zoning, city planning, and development applications. The Board's primary function is to prepare and keep updated the City's master plan to ensure orderly growth, and preserve the unique character of the community. A quorum is required to conduct business. A super-majority vote by the Council is required to overturn a majority recommendation by the P&Z Commission on zoning-related matters.

**Duties / Responsibilities**

- Initiate and conduct planning sessions to proactively address needed changes within the community relating to the master plan including but not limited to: thoroughfare plan, property zoning/rezoning, and future development
- Recommend boundaries for initial zoning districts and appropriate zoning regulations.
- Take a proactive role in drafting, reviewing and making recommendations to the City Council relating to new zoning ordinances, amendments to existing zoning ordinances, and thoroughfare planning.
- Make preliminary reports and hold public hearings prior to submitting proposals to the City Council as they relate to zoning and environmental quality issues.
- Receive, review and take appropriate action on all platting and subdivision proposals.

**Qualifications / Composition / Tenure**

Must be qualified voters of the City and shall remain eligible to vote during their tenure on the Commission.

Five regular members plus two alternates nominated by the Mayor and appointed by the City Council.

The Chairman and Vice-chairman are appointed by the City Council and shall serve one-year terms. They may serve no more than two (2) consecutive one-year term.

One two-year term with no term limits

Members serve at the pleasure of the City Council.

**Planning and Zoning Commission**

Place 1	Bruce Hanson, Vice Chairman,	September 30, 2017
Place 2	Breien Velde, Commissioner	September 30, 2018
Place 3	Brian Rush, Chairman	September 30, 2017
Place 4	Dwayne Zinn, Commissioner	September 30, 2018

Place 5	Marc Powell, Commissioner	September 30, 2018
Place 6	Chuck Mills, 1st Alternate	September 30, 2018
Place 7	2nd Alternate VACANT	

**RECOMMENDATION**

Recommendation/Appointment is at Council's discretion.

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**BUSINESS ITEM 4.**

**City Council Special Session**

**Meeting Date:** 09/28/2017  
**Title:** Board of Adjustments  
**Submitted For:** Bob Hart, City Manager **Submitted By:** Kim Pence, City Secretary  
**Finance Review:** N/A **Legal Review:** N/A  
**City Manager Review:** Bob Hart, City Manager

**AGENDA ITEM**

Consider and act on nominations, appointments, resignations and removal of members from the Zoning Board of Adjustments.

**AGENDA ITEM SUMMARY/BACKGROUND**

The Zoning Board of Adjustments is a quasi-judicial body that determines variances to the Zoning Ordinance. The City Council has no review authority over decisions of the Board of Adjustment.

**Function(s)**

Through the authority of Corinth’s Home Rule Charter, the City of Corinth Zoning Ordinance and under the Local Government Code, Section 211.008 the Board is authorized to make special exceptions to the terms of the Zoning Ordinance.

The burden of proof falls on the applicant, i.e.: (1) If a variance is requested, factual evidence must be presented to satisfy the Board that a hardship exists, which is not generally true of other properties in the area and which is not a self-created hardship. (The economic cost of compliance is not legally considered a hardship.) (2) If the decision of an administrative official is appealed, evidence must be presented to satisfy the Board that an error exists in the official’s decision. (3) If a special exception is requested, evidence must be presented to satisfy the Board that a special exception to terms of the ordinance is warranted due to the peculiar circumstances of the situation.

This Board requires that a quorum (4 of the 5 members) be present to act upon any variance request. The board by majority vote shall adopt rules in accordance with any ordinance adopted under this subchapter. It takes four (4) concurring votes of the members to approve a variance.

**The City Charter of the City of Corinth, at Section 10.05 provides as follows:  
Section 10.05 Board of Adjustments:**

- A. The Board of Adjustments shall consist of five (5) regular members and two (2) alternates to be appointed by the Council to serve two year terms.
- B. The Council shall appoint a Chairman and Vice-Chairman who shall serve one-year terms.
- C. In the event of a vacancy on the Board of Adjustment, The Council shall appoint a new member for the unexpired term.
- D. A quorum of the Board of Adjustment shall consist of four (4) members. In the absence or disqualification of a regular member, an alternate shall act as a Board member.

**Zoning Board of Adjustments**

Place 1	John Horney, Chairman	September 30, 2017
Place 2	David Burnett	September 30, 2017
Place 3	Keith Koeninger	September 30, 2017
Place 4	Korey Robertson, Vice Chairman	September 30, 2017

Place 5	John Cox	September 30, 2017
Place 6	Douglas Fernow	September 30, 2017
Place 7	David Payne	September 30, 2017

**RECOMMENDATION**

Recommendation/Appointment is at Council's discretion.

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**BUSINESS ITEM 5.**

**City Council Special Session**

**Meeting Date:** 09/28/2017

**Title:** Board of Construction Appeals

**Submitted For:** Bob Hart, City Manager

**Submitted By:** Kim Pence, City Secretary

**Finance Review:** N/A

**Legal Review:** N/A

**City Manager Review:** Bob Hart, City Manager

**AGENDA ITEM**

Consider and act on nominations, appointments, resignations and removal of members from the Board of Construction Appeals.

**AGENDA ITEM SUMMARY/BACKGROUND**

The board serves as an appeals board to decide appeals to decisions of the Building Official concerning the model construction codes.

This board hears and decides appeals of order, decisions, or determinations made by the Building Official relative to the application and interpretation of the adopted codes. The board shall have no authority to waive requirements of the codes.

The board is accountable to the Mayor and City Council. The Mayor and City Council will determine if the committee is functioning properly and accomplishing defined duties/responsibilities.

The Board of Construction Appeals shall consist of five (5) regular members and two (2) alternates to be appointed by the Council to serve two year terms with no term limits.

In the event of a vacancy on the Board of Adjustment, The Council shall appoint a new member for the unexpired term.

A quorum of the Board of Adjustment shall consist of four (4) members. In the absence or disqualification of a regular member, an alternate shall act as a Board member.

**Board of Construction Appeals**

Place 1	Keith Koeninger	September 30, 2017
Place 2	Korey Robertson	September 30, 2017
Place 3	Belle Speir (Resigned)	September 30, 2017
Place 4	David Payne	September 30, 2017
Place 5	John Horney	September 30, 2017
Place 6	Douglas Fernow, 1st Alternate	September 30, 2017
Place 7	2nd Alternate VACANT	

**RECOMMENDATION**

Recommendation/Appointment is at Council’s discretion.



**City Council Special Session**

**Meeting Date:** 09/28/2017

**Title:** Finance Audit Committee

**Submitted For:** Bob Hart, City Manager

**Submitted By:** Kim Pence, City Secretary

**Finance Review:** N/A

**Legal Review:** N/A

**City Manager Review:** Bob Hart, City Manager

**AGENDA ITEM**

Consider and act on nominations, appointments, resignations and removal of members from the Citizen Finance Audit Committee.

**AGENDA ITEM SUMMARY/BACKGROUND**

The purpose of the Committee is to assist the City Council in fulfilling its oversight responsibilities for the annual audit process, the development of financial policies and procedures, Investment transactions and reports, and the system of internal controls.

**Duties / Responsibilities**

- Advise the City Council and management on the selection of the independent auditor
- Serve as an independent and objective party to monitor the City’s financial and compliance reporting process and internal control system.
- Review and appraise the audit efforts of the City’s independent auditor
- Provide an avenue of communication among the independent auditor, financial and senior management, and the City Council.
- Review and provide recommendations on the City’s financial, investment, and budgetary reports, policies and procedures.
- Determine general investment strategies and monitor results.
- Review investment economic outlook, portfolio diversification, maturity structure, potential risk to the City’s funds, authorized brokers and dealers, and the target rate of return on the investment portfolio.
- Adopt the list of authorized brokers and dealers of government securities.

**Qualifications / Composition / Tenure**

Six members including the City Manager, the Director of Finance and Administrative Services, two members of the City Council, and two representatives from the community.

The Chairman and Vice-Chairman shall be elected by the committee and shall serve one-year terms.

The Representatives from the community must be qualified voters of the City and shall remain eligible to vote during their tenure on the Committee and to the extent possible, shall be a finance professional such as an accountant, Certified Public Accountant, auditor or shall have equivalent experience.

The term of each committee member is two (2) years. The Committee members from the community may serve no more than two (2) successive terms.

The City Councilmembers and the City Manager are the voting members of the Committee.

**Citizen Finance Audit Committee**

Place 1	Joe Harrison, Council Representative Vice Chairman	September 30, 2017
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Place 2	Lowell Johnson, Council Representative Chairman	September 30, 2018
Place 3	Mike Taylor, Citizen	September 30, 2018
Place 4	Dick Baker, Citizen	September 30, 2017
Place 5	Lee Ann Bunselmeyer, Director of Finance & Administrative Services	Permanent
Place 6	Bob Hart, City Manager	Permanent

**RECOMMENDATION**

Recommendation/Appointment is at Council's discretion.

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**BUSINESS ITEM 7.**

**City Council Special Session**

**Meeting Date:** 09/28/2017  
**Title:** Ethics Committee  
**Submitted For:** Bob Hart, City Manager  
**Finance Review:** N/A  
**City Manager Review:** Bob Hart, City Manager

**Submitted By:** Kim Pence, City Secretary  
**Legal Review:** N/A

**AGENDA ITEM**

Consider and act on nominations, appointments, resignations and removal of members from the Ethics Committee.

**AGENDA ITEM SUMMARY/BACKGROUND**

The City of Corinth adopted an Code of Ethics policy requiring that public officials and employees be independent, impartial, and responsible while representing the City in any capacity for which he/she was appointed or elected. The City of Corinth Ethics Commission will be accountable to the Mayor and City Council. The City Council shall have primary responsibility for the enforcement of this code.

Composition / Tenure Candidates for the advisory board will be named by the Mayor and will be approved by majority vote of the City Council.

The term of each member shall be two (2) years with no term limits.

Members of the advisory board may not hold an elected municipal office within the City of Corinth and may not serve on any other advisory board or commission within the City of Corinth.

**Ethics Committee**

Place 1	Rom Winterburn	September 30, 2017
Place 2	Dane Shillan	September 30, 2017
Place 3	Jennifer Carlton	September 30, 2017
Place 4	VACANT	
Place 5	VACANT	

**RECOMMENDATION**

Recommendation/Appointment is at Council’s discretion.

**City Council Special Session**

**Meeting Date:** 09/28/2017

**Title:** EDC Appointments

**Submitted For:** Bob Hart, City Manager

**Submitted By:** Kim Pence, City Secretary

**Finance Review:** N/A

**Legal Review:** N/A

**City Manager Review:** Bob Hart, City Manager

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**AGENDA ITEM**

Consider and act on nominations, appointments, resignations and removal of members from Corinth Economic Development Corporation,

**AGENDA ITEM SUMMARY/BACKGROUND**

The Corinth Economic Development Corporation is a nonprofit corporation managed by a board of directors to promote economic development for the City of Corinth. It is organized exclusively on behalf of the City for the public purposes of the promotion and development of new and expanded business enterprises to provide and encourage employment in the furtherance of public welfare. The Corporation shall have and exercise all of the rights, powers, privileges, authority and functions given by the general laws of Texas to nonprofit corporations by the Texas Nonprofit Corporation Act, Tex. Civ. Stat. Ann. Art. 1396-1.01 et. seq., and the additional powers as provided in Section 4B of the Development Corporation Act of 1979.

**CEDC Bylaws; (Article IV Board of Directors)**

**Section 04.01 Powers, Number and Term of Office provides as follows:**

The property and affairs of the Corporation shall be managed and controlled by the Board of Directors and subject to the restrictions imposed by law, the Articles of Incorporation, and these Bylaws, The Board shall exercise all of the powers of the Corporation,

The Board shall consist of seven (7) Directors each of whom shall be appointed by the City Council of the City of Corinth, as provided in Article VII of the Corinth Economic Development Corporation Articles of Incorporation.

Each member of the Board of Directors shall serve a two (2) year term, or until his/her successor is appointed, unless sooner removed or resigned. Each Director shall be eligible for reappointment. No Director shall serve more than two (2) consecutive terms excluding the initial term, if less than two (2) years. Any vacancy occurring on the Board shall be filled by appointment of the City Council, to hold office until the expiration of the term of the vacating member. Unless otherwise provided, terms shall expire on September 30 and begin on October 1.

The City Council of the City of Corinth shall recommend to the Board the person to serve as President. All officers shall be elected by and subject to removal from office at the will of and at any time by a vote of a majority of the Board.

The Directors constituting the first Board shall be those Directors named in the Articles of Incorporation. The respective initial terms of the Board are set forth in the Articles of Incorporation. Thereafter, each successor member of the Board shall be appointed and serve for two (2) years or until his or her successor is appointed as hereafter provided.

Any Director may be removed from office by the City Council at any time.

**Section 04.05 Attendance provides as follows:**

Regular attendance is required at all meetings. Two (2) consecutive unexcused absences from regular scheduled meetings of the Board shall constitute cause for replacement of a Director. An unexcused absence is one not approved by the Chair.

**Section 05.07 Election of Officers provides as follows:**

The Chair, Vice Chair and Secretary shall be elected from among the members of the Board. The Treasurer may be an employee of the City, appointed by the Finance Director of the City of Corinth to oversee the finances of the Corporation.

**Economic Development Corporation**

Place 1	Don Glockel, Council Representative	September 30, 2018
Place 2	Lowell Johnson, Council Representative President	September 30, 2017
Place 3	David Burnett	September 30, 2018
Place 4	Jerry Blazewicz (Eligible for Reappointment)	September 30, 2017
Place 5	Wade May (Expired Term)	September 30, 2017
Place 6	Mike Amason, Vice President (Expired Term)	September 30, 2017
Place 7	Tina, Henderson, Secretary	September 30, 2018

**RECOMMENDATION**

Recommendation/Appointment is at Council's discretion.

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