

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

On this the 18th day of April 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
Scott Garber, Council Member
Lowell Johnson, Council Member
Tina Henderson, Council Member
Don Glockel, Council Member

Members Absent:

None

Staff Members Present

Bob Hart, City Manager
Jerry Garner, Chief of Police
Brenton Copeland, Technology Services Assistant Manager
Helen-Eve Liebman, Planning and Development Director
George Marshall, City Engineer
Ben Rodriguez, Planning Manager
Lee Ann Bunselmeyer, Finance and Administrative Services Director
Chris Rodriguez, Finance Manager
Angie Watson, Utility Billing Supervisor
Jason Alexander, Economic Development Corporation Director
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 7:10 p.m., Councilman Pastor Jeff Dooley delivered the invocation and led in the Pledge of Allegiance.

1. PROCLAMATION:

Mayor Heidemann read into the record the Proclamation for Motorcycle Safety Awareness Month.

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.

2. Consider and act on minutes from the March 7, 2019 Workshop Session.

3. Consider and act on minutes from the March 21, 2019 Regular Session.

Councilmember Garber pulled item #4 for discussion.

4. Consider and act on a Resolution approving the City of Corinth Fund Balance Policy.

Bob Hart, City Manager – We are asking Council to do a substitute resolution to include both the general fund and utility fund.

MOTION made by Councilmember Garber to approve the substitute Resolution for the Corinth Fund Balance Policy. Seconded by Councilmember Burke.

AYES: Burke, Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: None

MOTION CARRIED

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

AYES: Burke, Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: None

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

PUBLIC HEARING

5. The Corinth City Council will conduct a public hearing to consider and act upon an amendment to the City's Unified Development Code, Section 4: Sign and Fence/Screening Regulations subsection 4.02: Fence and Screening Regulations.

Helen-Eve Liebman, Planning and Development Director - Staff is proposing amendments to the City's Screening and Fencing requirements. The changes to the City's Screening and Fencing requirements are to specify that required perimeter screening for residential developments be placed within the required landscape edge and directly adjacent to the thoroughfare and the residential lot or internal street. The intent of this change is to provide an area of green space between the sidewalk and masonry screening walls required for the perimeter of residential subdivisions. Staff is hopeful that this will help mitigate the "canyon effect" while driving down the road between screening walls.

At the planning and Zoning Commission Meeting On January 28, 2019 the Commission continued the public hearing of the item to allow staff additional time to research ownership and maintenance responsibilities for

the walls.

Following this research staff is proposing two options for developers to choose from when constructing the required masonry screening walls.

1. Place the wall in a lot owned and maintained by the home owners association "HOA".
2. Place the wall on the property line on the residential lot adjacent to the landscape buffer. With maintenance responsibility falling on the homeowner.

This provides flexibility for developers to choose whether or not to make these the responsibility of the HOA, if one exists on the development.

Staff is also proposing the addition of a five foot by five foot "5ftx5ft" visibility triangle for backyard fences on alley served lots. The intent of this visibility triangle is to allow for additional visibility for residents backing out of their driveways into the alley.

Additionally, staff is proposing the removal of chain link as an allowed fencing material for industrial uses when visible from the adjacent Right of Way(s).

Finally, staff is proposing amendments so that our Code will comply with state law. Currently our code states that any fence variance requests will go before the Planning and Zoning Commission for approval. However, only a City's Zoning Board of Adjustment has the legal authority to grant variances. The proposed language corrects this oversight.

At the City Council Meeting on March 21, 2019 the item was tabled to allow staff time to research development standards that would prohibit chain link fencing within view from the Right of Way. The ordinance presented tonight will prohibit chain link when visible from the Right of Way. The proposed ordinance allows Industrial uses to utilize decorative metal "wrought iron" fencing with landscaped vegetation to provide a solid screen.

Installed landscaping must provide a solid screen within two years of installation.

At the Planning and Zoning Commission Meeting on February 25, 2018 the Commission voted to unanimously recommend their approval of the proposed changes. With the condition that chain link remain an allowed fencing material for industrial uses.

Staff recommends approval of the item as presented.

**Mayor Heidemann opened the Public Hearing at 7:25 p.m. No one spoke during the Public Hearing.
Mayor Heidemann closed the Public Hearing at 7:25 p.m.**

MOTION made by Councilmember Garber to approve as presented. Seconded by Councilmember Glockel.

AYES: Burke, Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: None

MOTION CARRIED

6. The Corinth City Council will conduct a public hearing to consider testimony and act upon an amendment to the City's Unified Development Code, Section 2: Zoning, Subsection 2.08: Zoning Dimensional Regulations, 2.08.04 Zoning Dimensional Regulations Chart. (Residential Lot Dimensions & Setbacks).

Helen-Eve Liebman, Planning and Development Director - Staff is proposing amendments to the City's Setback requirements for its residential zoning districts.

The proposed amendments are to bring the City's setback requirements in line with market demands which are gravitating towards reduced setbacks in order to allow for a larger building pad and to reduce the amount of landscaped areas that must be watered and maintained.

Staff is also proposing the incorporation of varying standards within the "MX-D," Mixed Density Residential to account for the varying development types allowed within that district. Ex. Single Family Attached & Single Family Detached.

Additionally, Staff is adding a requirement for garage setbacks, requiring garages be to a minimum of 25 foot setback from the property line regardless of the garage's orientation on the lot. Ex. side, rear, & front entry. Since the placement and orientation of a garage is not always uniform this language will provide clarity to staff and potential applicants.

Finally, staff is proposing changes to the terminology of some items such as removing density from the minimum lot area section and placing it in its own separate section and providing building area percentages to multifamily developments.

At the Planning and Zoning Commission meeting on March 25, 2019 the Commission unanimously recommended their approval of the item.

Staff recommends approval as presented.

Mayor Heidemann opened the Public Hearing at 7:30 p.m. No one spoke during the Public Hearing. Mayor Heidemann closed the Public Hearing at 7:30 p.m.

MOTION made by Councilmember Henderson to approve as presented. Seconded by Councilmember Glockel.

AYES: Burke, Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: None

MOTION CARRIED

BUSINESS AGENDA:

7. Consider and act on a formal adoption of the Room Rental Policy for City facilities.

Lee Ann Bunselmeyer, Director of Finance - City facilities, specifically the Council Chambers at City Hall, have been for years available for rent by Home Owners Associations at the rate of \$50 per hour (\$75 per hour with any audio/visual needs), available only on Tuesday and Wednesday evenings via a City Manager Directive. City Staff is seeking Council guidance and support in formalizing this into a Council-Approved Policy.

The only notable differences between the previous policy and this new policy is opening up the Large Conference Room at the Public Safety Complex for the same purpose: Home Owners Associations, and providing a cleaning fee (one-time \$100 charge) in the case that an HOA would like to have food at their meeting (PSC only).

This policy would only affect the following rooms: Council Chambers and the Council Workroom in City Hall and the Large Conference Room and attached kitchen in the Public Safety Complex. All other rooms and other City facilities would be unaffected by this policy.

MOTION made by Councilmember Glockel to approve with availability during the day. Seconded by Councilmember Burke.

AYES: Burke, Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: None

MOTION CARRIED

8. Consider and act on a Resolution nominating one candidate to a slate of nominees for the Board of Managers of the Denco Area 9-1-1 District.

No Action Taken.

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 Henders on - would like to add the Fourth of July Parade on the next agenda for discussion. Also, would like to discuss the flooding on Dobbs Road on a future Council agenda.

Councilmember Glockel - would like staff to look into carport style amendments to allow them.

Mayor Heidemann recessed the Regular Session at 7:32 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.

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

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.

Council met in Closed Session from 7:42 p.m. until 8:37 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.

MOTION made by Councilmember Burke to approve Project Daylight and authorize the City Manager to execute all documents necessary to implement the project as discussed in Closed Session. Seconded by Councilmember Johnson.

AYES: Burke, Garber, Johnson, Henderson, Glockel
NOES: None
ABSENT: None

MOTION CARRIED

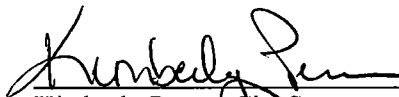
ADJOURN:

Mayor Heidemann adjourned the meeting at 8:40 P.M.

AYES: All

Meeting adjourned.

Approved by Council on the 9th day of May, 2019.


Kimberly Pence, City Secretary
City of Corinth, Texas

