

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

On this the 21<sup>st</sup> day of March 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  
Shea Rodgers, Technology Services 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  
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 7:15 p.m., Councilman Garber delivered the invocation and led in the Pledge of Allegiance.

**PROCLAMATION:**

**Denton County Master Gardener Association 30th Anniversary**

Mayor Heidemann read the proclamation in to the record.

**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 February 21, 2019 Workshop Session.

2. Consider and act on minutes from the February 21, 2019 Regular Session.
3. Consider and act on approval of an Interlocal Agreement between the City of Corinth and the Lake Dallas ISD to utilize the Shady Shores Elementary School to host the Corinth Recreation Department Summer Camp Program.
4. Public Works equipment storage building, site improvements and Fire Department Training Facility construction.

**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

**BUSINESS AGENDA:**

5. Accept the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2018, as presented by Eide Bailly, LLP (formerly Davis Kinard & Co, PC).

**MOTION** made by Councilmember Johnson to approve the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2018, as presented by Eide Bailly, LLP. Seconded by Councilmember Glockel.

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

**MOTION CARRIED**

**PUBLIC HEARING:**

6. 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 back yard 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 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 on the condition that chain link be prohibited as an allowed fencing material for industrial uses when visible from the adjacent Right of Way(s).

We are recommending decorative metal or wrought iron fencing with an evergreen landscape screen for industrial uses when it is adjacent to a public right-of-way.

**Councilmember Henderson** - are you saying the decorative fencing and the hedge or is it either or?

**Hele-Eve Liebman, Planning and Development Director** - it is either or. We would like to see the chain link remain if it is not visible and if it is adjacent to a street that can be seen, either with the landscape screening or without.

**Councilmember Glockel** - what did the Planning and Zoning unanimously approve? Just to include the chain

link?

**Helen-Eve Liebman, Planning and Development Director** - there were no restrictions on the chain link other than it can only be used in Industrial applications. It could be internal or external from the Planning and Zoning's recommendation.

**Councilmember Glockel** - so staff would recommend enhancing that restriction some. I would remind staff that there is chain link fence on FM 2181 that probably belongs to the City. I think there is an application for chain link within the City and I would hate to take that out.

In your study, before you recommended going to decorative metal versus chain link, did you do any cost analysis?

**Helen- Eve Liebman, Planning and Development Director** - no sir, decorative metal is already an option, we were just wanting to restrict the use of chain link. Staff felt that decorative metal was somewhere in between the screening wall and the chain link.

**Councilmember Glockel** - I do know that this decorative metal is higher than the chain link application. I am in favor of the chain link. I don't want it to be the fence out in the front but on the sides or in the back I think there is applications for it.

**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 Johnson to table the item to allow staff to work on Ordinance and bring back on a future meeting. Seconded by Councilmember Burke.

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

**MOTION CARRIED**

7. The Corinth City Council will conduct a public hearing to consider and act upon an amendment to the City's Unified Development Code, Section 2: Zoning, Subsection 2.07: Zoning Use Regulations, 2.07.07 Accessory Buildings and Uses.

**Ben Rodriguez, Planning and Development Manager** - Staff is proposing amendments to the City's accessory building requirements. The proposed changes are to reduce the required setbacks for accessory structures. Currently, all accessory structures are required to have a 7.5 foot setback from adjoining property lines. This is often not an issue for most owners to accommodate. However, this does cause problems for some properties which have side setbacks that are less than 7.5 feet.

Staff is proposing that all accessory structures that are 100 square feet or less have a zero (0) foot setback from adjoining property lines and that structures greater than 100 square feet in size have a five (5) foot setback.

Historically, these cases have been taken to the Board of Adjustment for variances to the City's code and during staff's research we have noticed that in nearly every case a variance was approved.

Since this is a common issue that the residents in Corinth have to face staff is proposing reducing these setbacks in an effort to reduce extra hurdles for our residents to have to navigate in order to place an accessory structure on their property.

Finally, staff is proposing that accessory structures that are less than 100 square feet in size be allowed to be placed on a lot without the approval of a building permit. Accessory structures of this size are most commonly purchased as a pre-fabricated unit from places such as Lowes or Home Depot.

At the Planning and Zoning Commission Meeting on February 25, 2018 the Commission voted to unanimously recommend their approval of the proposed changes. Staff also recommends approval as presented.

**Councilmember Glockel** - what if I had a piece of property, and there was no houses on that piece of property but I run livestock, what would you do in that case?

**Ben Rodriguez, Planning and Development Manager** - the way our code is worded today, we would not be able to place a barn without a main structure. Staff's main concern tonight was our setback provisions. I understand some of the Council have some concern about other accessory structures as well such as barns and staff would be happy to do more research on if that is Council direction.

**Councilmember Glockel** - so you are saying if there is no house, there is no barn?

**Ben Rodriguez, Planning and Development Manager** - yes, for new development.

**Councilmember Glockel** - if I was a landowner and I had that situation, would that be something I could get a variance on to have shelter for my animals because my house is not there?

**Ben Rodriguez, Planning and Development Manager** - they could apply for a variance under the zoning code and it would go to Board of Adjustments.

**Mayor Heidemann opened the Public Hearing at 7:45 p.m. No one spoke during the Public Hearing. Mayor Heidemann closed the Public Hearing at 7:45 p.m.**

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

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

**MOTION CARRIED**

8. The Corinth City Council will conduct a public hearing to consider and act upon an amendment to the City's Unified Development Code, Section 2: Zoning, Subsection 2.10: Zoning Procedures, 2.10.04 Zoning Text and Map Amendments and 2.10.05 Public Hearings and Notification Requirements for Zoning Related Applications.

**Helen- Eve Liebman, Planning and Development Director** - Planning and Development Department staff are proposing amendments to the zoning notification process for public hearings related to zoning and subdivision cases. These amendments are intended to clarify posting requirements within the ordinance, increase the efficiency of posting procedures, and improve transparency.

The following changes are proposed.

1. All signs, newspaper notices, letters, & notices on City website will be provided at least 15 days in advance of their corresponding meetings.

2. Would define specifications for notice signs as follows: "Posted signs shall be a minimum of four (4) feet wide by four (4) feet long, affixed to a post or posts.
3. Stipulating that signs shall be removed within ten (10) days of City Council action on the related case."
4. Applicants will be required to post a minimum of one sign per 1000ft of street frontage.
5. The inclusion of language stating that the applicant is encouraged to conduct a neighborhood meeting with area homeowners within the vicinity of the request prior to appearing before the Planning and Zoning Commission.

At the Planning and Zoning Commission Meeting on February 25, 2018 the Commission voted to unanimously recommend their approval of the proposed changes. Staff recommends approval as presented.

**Mayor Heidemann opened the Public Hearing at 7:48 p.m. No one spoke during the Public Hearing. Mayor Heidemann closed the Public Hearing at 7:48 p.m.**

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

**AYES:** Burke, Garber, Johnson, Henderson, Glockel  
**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.

**Councilmember Burke** - I appreciate the staff's efforts on the zoning changes tonight. These are not flashy things and require a lot of work and I am a big believer in incremental improvement and often those incremental improvements are not rewarded or recognized and I recognize and I think that is how you become a better place in the long run and I appreciate it.

**Councilmember Johnson** - Keep Corinth Beautiful is going to be working with Make A Difference Today on April 6<sup>th</sup>. They are going to pull together some UNT Students to help us out on various projects. On April 13<sup>th</sup>, Keep Corinth Beautiful will celebrate Texas Harbor Day by providing trees to a certain number of residents. I would encourage everyone to come and be involved in both events in the community.

**Councilmember Henderson** - thanked the City of Corinth for supporting the Lake Cities Chamber Annual Awards Luncheon. On May 18<sup>th</sup> is Lake Cities Serve and the four Lake Cities, several churches and also the Denton Morning Rotary are all joining forces to go and do projects for the elderly, the widows and those that are in need. This will start at 8:00 am at Thousand Hills Church and they are looking for volunteers and they are also looking for projects. If you know of anyone that has a project that needs to be done, painting, yard work, etc. there will be a form they could fill out to have that done. Food will be provided for breakfast and lunch.

**Councilmember Glockel** - to tag on to that, there is community service type things that we might be able to do as a group. This is the first time this has been done and maybe next year there would be more coordination

with all these groups. This will be a wonderful event.

**Bob Hart, City Manager** - tomorrow the County will have the ribbon cutting on FM 2499 at 10:30 am. The Mayor will be speaking. We will have some of the staff there and you are welcome to attend.

**Mayor Heidemann** - thanked the staff tonight for all their preparation. I also want to recognize Councilmember Tina Henderson who was selected as the Citizen of the Year in the Lake Cities and she is very well deserving of that title and we are very proud of what she has accomplished here.

**There was no Closed Session during the Regular scheduled meeting. See March 21, 2019 Workshop 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 551.072. 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

**A. Potential land acquisition related to incentives and projects. (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.

**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.

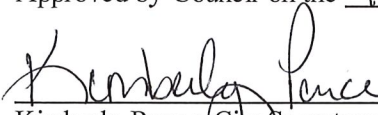
**ADJOURN:**

Mayor Heidemann adjourned the meeting at 8:00 P.M.

**AYES:** All

Meeting adjourned.

Approved by Council on the 18 day of April, 2019.

  
Kimberly Pence, City Secretary  
City of Corinth, Texas

