

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

On this the 6<sup>th</sup> day of April 2017 the City Council of the City of Corinth, Texas met in a Workshop Session at the Corinth City Hall at 5:30 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:**

Joe Harrison, Mayor Pro-Tem  
Sam Burke, Council Member  
Lowell Johnson, Council Member  
Don Glockel, Council Member  
Scott Garber, Council Member

**Members Absent:**

Bill Heidemann, Mayor

**Staff Members Present:**

Bob Hart, City Manager  
Fred Gibbs, Planning and Development Director  
Kim Pence, City Secretary  
Curtis Birt, Fire Chief  
Shea Rodgers, Technology Services Manager  
Mike Brownlee, City Engineer  
Mack Reinwand, City Attorney

**CALL TO ORDER:**

Councilmember, Mayor Pro-Tem Joe Harrison called the meeting to order at 5:30 P.M.

1. 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.

**CONSENT AGENDA ITEM**

1. Consider and act on a Resolution authorizing continued participation with the Steering Committee of Cities served by Oncor; and authorizing the payment of eleven cents per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC.

**BUSINESS AGENDA ITEM**

2. Consider and act on a request from the applicant, Josh Barton, authorized representative for the property owner, I-35E Millennium L.P., for a Major Subdivision Waiver to the City of Corinth Engineering Standards Manual of the Unified Development Code (UDC) to allow an off-site, open drainage channel for the Millennium Subdivision legally described as 24.197 acres situated in the H. Garrison Survey, Abstract Number 507, in the City of Corinth, Denton County, Texas. (This property is located on the northwest corner of I-35E and Dobbs Road).
3. Consider and act on a request from the applicant, Josh Barton, authorized representative for the property owner, I-35E Millennium L.P., for a Major Subdivision Waiver to the City of Corinth Ordinance No. 13-05-08-20, Unified Development Code (UDC) to allow a reduction in the minimum required local street width and no sidewalk as required on Dobbs Road for the Millennium Subdivision legally described as 24.197 acres situated in the H. Garrison Survey, Abstract Number 507, in the City of Corinth, Denton County, Texas. (This property is located on the northwest corner of I-35E and Dobbs Road).

**Councilmember Johnson** - Overall for the Millennium pieces, I have some questions that I would like to review with the attorney. If we can review in the executive session with the attorney, I would appreciate that.

**Mayor Pro-Tem Harrison** - I will go ahead and read all of these and we can go to executive session to review them.

**Bob Hart, City Manager** - We have a PowerPoint where we can go over all items with maps and explain more details.

**Mayor Pro-Tem Harrison** - Can we go into executive session before we have the PowerPoint?

**Councilmember Johnson** - My suspicion is that questions we have are not going to be covered by the PowerPoint.

**Mayor Pro-Tem Harrison** - I will read these and we can go to into executive session and discuss Items 2, 3, 4 and 5.

4. Consider and act on a request from the applicant, Josh Barton, authorized representative for the property owner, I-35E Millennium L.P., for a Major Subdivision Waiver to the City of Corinth Ordinance No. 13-05-08-20, Unified Development Code (UDC) to allow a reduction in the required street right-of-way dedication of the existing Dobbs Road for the Millennium Subdivision legally described as 24.197 acres situated in the H. Garrison Survey, Abstract Number 507, in the City of Corinth, Denton County, Texas. (This property is located on the northwest corner of I-35E and Dobbs Road).
5. Consider and act on a request from the applicant, Josh Barton, authorized representative for the property owner, I-35E Millennium L.P., for a Major Subdivision Waiver to the City of Corinth Engineering Standards Manual out of the City's Unified Development Code (UDC) to allow a reduction in the required paving thickness on Dobbs Road for the Millennium Subdivision legally described as 24.197 acres situated in the H. Garrison Survey, Abstract Number 507, in the City of Corinth, Denton County, Texas. (This property is located on the northwest corner of I-35E and Dobbs Road).

#### **BUSINESS AGENDA ITEM**

6. Consider and act on a Simple Recycling Agreement with Great Lakes Recycling Inc. for the collection of soft recyclables.

**Bob Hart, City Manager** - I have Keith here and hand-out material and a PowerPoint

**Councilmember Burke** - How do they make their money?

**Keith Kahn, Simple Recycling, North Texas Representative** - This is the curbside and textile recycling program. This program is free to qualifying municipalities of which you are one. Our business is a volume business and it is a long term business model. In the agreement that we submit to your city is a four year agreement opting out only for cause if we don't pick up, if we don't deliver the services as promised. It's about volume. It's also about us being able to have a long term agreement. Our breakeven point is around three to three and half years for every city that we work with.

**Councilmember Burke** - So you don't charge the city and you don't charge the residents either.

**Keith Kahn, Simple Recycling, North Texas Representative** - No charges now. The only thing we do ask the city to do is help us with the awareness campaign to get people aware that there is a way to keep this stuff out of the landfill. We encourage donating if people want to donate. 85% of these materials do not get donated, they end up in the landfill. That is why many cities are going to a curbside initiative like this. For example, the City of Plano recently put out a Facebook post that said "Donate or put it on the curb, just don't put it in the trash." That's the concept behind what we do. We don't charge anything to the city. As a matter of fact, we will be paying you \$20 per ton based on Corinth being a qualified municipality.

**Councilmember Johnson** - What qualified us?

**Keith Kahn, Simple Recycling, North Texas Representative** - It goes back to our business model. We would prefer to work with cities that have over 4,000 or more households. It's also cities within a certain area of our main warehouse which is in Irving. By distance, from a logistics standpoint as far west as we go is at White Settlement, east we stop at Mesquite, south we stop at Red Oak, Fort Worth it's Crowley, we currently work with Kennedale.

**Councilmember Glockel** - It mentions about containers and it shows a picture of a container - it looks like a sack maybe? If things fall out of the container it says just leave them on the curb? If items are set out, then it becomes your (Simple Recycling's) property?

**Keith Kahn, Simple Recycling, North Texas Representative** - Correct. The way we've set up is that we have now gone to an orange bag. To make it simpler this is the bag we are going to furnish to every homeowner. We are going to invest \$2.20 per household for those mail pieces you see in your kits. The first reminder will go out and remind the citizens about two weeks before and the one that is in cellophane goes out one week before, it has complete instructions and it has the bags inside which are now orange. They will put it out on normal recycling day. On the bag it tells them what goes in the bag, shoes, clothing, housewares, women's clothes, children's clothes, kitchenware, etc. They are going to fill this up and put it out with their normal recycling day next to their recycling buggy. Our trucks are going to come by, we are going to pick that up. We will replace the bag with another bag. We'll tie it off on the recycling cart or put it under the welcome mat of the homeowner. After that happens we are going to take that material back to our warehouse. We are going to weigh it and cut you a check for \$20 per ton for everything we collect on a monthly basis. So you'll have your statement and a check. As regards to the agreement, obviously we have draw-ties. The only thing that can contaminate the material for us is moisture, so we are instructing the homeowner to put the stuff in there tie it off, put it out on your recycling day, our vehicles will be there to pick up. So they don't have to remember any special days, they don't have to remember anything special to do. Now as far as the agreement says, I know what you're talking about. We've never had that as an issue. We are now in over 60 municipalities in five states. We've never had an issue and we've never lost an account for lack of performance or for anything that may have upset the homeowners. Our tendency is to pick up. If it's in the bags, we pick it up, if it's something outside, we want to pick it up. We don't want to have a homeowner situation where they are upset. At the end of the day, that language is meant in the event that if something falls out that maybe didn't belong in here to begin with.

**Councilmember Glockel** - In different places they say it should be in the container for it to be picked up and others may say it could be set aside of the container as long as it is soft recyclable products. Then again it says, if it is outside of the container, we are not going to pick it up.

**Keith Kahn, Simple Recycling, North Texas Representative** - We might need to red line that and get it more specific in the agreement. We can do that. The idea is to get it picked up. Obviously we are not going to pick up sofas and big screen TVs and things like that. It's textiles, clothing, housewares, shoes and those type of things.

**Mayor Pro-Tem Harrison** - What if a resident in the City of Corinth doesn't want to use you, what does your agreement say about that? What if they rather use someone else? Does your agreement specify that we only use you?

**Keith Kahn, Simple Recycling, North Texas Representative** - The agreement is a four year agreement only for cause. Yes. We want to be the only.

**Mayor Pro-Tem Harrison** - If Community Services over at Lewisville wants to come over or Disabled Veterans wants to come over and pick up items.

**Keith Kahn, Simple Recycling, North Texas Representative** - Yes. They are welcome. We encourage donation. At the end of the day, we don't compete with those people. We compete with the landfill.

**Mayor Pro-Tem Harrison** - There's no landfill. They are picking up the same thing you are picking up. Clothing and everything else.

**Keith Kahn, Simple Recycling, North Texas Representative** - Right. And we encourage people to donate and to do that. Despite all that, Plano has all of those same things. They have a lot of non-profits, a lot of charities, a lot of clothing and shoe drives. Despite all that we picked up over 100,000 pounds since we started in November. Despite all of the efforts that are out there collecting material, just like the EPA says, 85% is ending up in the landfill. This is just a convenient, easy way for those people who won't, don't or just can't donate.

**Councilmember Johnson** - They pick up the bag, they replace the bag if there's more stuff than one bag will hold so do they put it in another bag right there with it?

**Keith Kahn, Simple Recycling, North Texas Representative** - They can, yes. They can also call us for extra bags. We also have some stickers that we can hand out to them also. With the cities that we work with, too, we can give them some bags where they can have some extra bags at Public Works or wherever you want to have them and people can come by and get those. But again, we would like them to call us or email us because our vans are going to be out there so we can drop off those bags.

**Councilmember Johnson** - Is it one particular day of the week that you will be covering the entire city?

**Keith Kahn, Simple Recycling, North Texas Representative** - Yes. Our vans cover between five and six thousand homes a day. Initially we'll have a lot of excitement and we'll get some people participating somewhat, but over time we have to keep reminding people and that is when we do the direct mail piece. We ask the cities to help us with awareness campaigns on their Facebook, on their social platforms, email, etc. However, you communicate with your residents. From there, the participation will be between three quarters to a pound per homeowner per month, initially. As it becomes routine as they become more aware the numbers tend to increase.

**Councilmember Johnson** - Commercial accounts, like apartments, do you go there?

**Keith Kahn, Simple Recycling, North Texas Representative** - Right now for apartments we are doing a couple of beta tests on a few different complexes around the Metroplex because we are trying to get that because it has its own paradigm, it has its own challenges. That is in the works. We hope to have that. It's definitely needed. We get a lot of requests for that. City of Bedford has been with us for a long time and Euless is right next door, they are 70% apartments and have told us that they need something for apartments. We are definitely working on that. We don't have the access to the apartments. Some of the newer apartments are gated and we cannot get in.

**Councilmember Johnson** - In my prior life I was a Dallas police officer. I spent more time than not arresting people that were stealing out of Goodwill bins. We put it out on the curb, if it's pilfered or anything like that your residents see it pilfered are you guys going to be the ones who step up and prosecute these people or are we just going to say, go to the next street?

**Keith Kahn, Simple Recycling, North Texas Representative** - That's why it says it on the bag that this is our material. That's why it says it - it's to discourage theft. I'll tell you our history . . . in Plano we had an individual going around taking items, one of our vans videoed the guy, so I took it down to Plano and we asked them to tell this guy he's not supposed to be picking this stuff up. We weren't trying to aggressively prosecute someone for a bag of textiles, but we'd like them to know in a nice friendly manner from the city that you are not supposed to be doing that. If you could do that, that would be another thing that would be very helpful.

**Councilmember Johnson** - I know we have a huge number of junkers or folks that hit the night before the trash is picked up and they sort through everything to see what they can find. I can see these bags going out and in the morning you come out and it looks like a coyote tore through it.

**Keith Kahn, Simple Recycling, North Texas Representative** - You are not the only city. To be very frank if I were to say that is not an issue, that wouldn't be accurate. We do have occasional situations and with a little discouragement from law enforcement goes a long way.

**Mayor Pro-Tem Harrison** - What day of recycling are you picking it up?

**Keith Kahn, Simple Recycling, North Texas Representative** - When is your recycle day?

**Mayor Pro-Tem Harrison** - They are different.

**Keith Kahn, Simple Recycling, North Texas Representative** - We pick up every day then. Whatever day that section has their recycle buggies out, we would be picking up that day. So we will be here five days a week.

**Bob Hart, City Manager** - It's not exclusive to answer your question on that.

**Keith Kahn, Simple Recycling, North Texas Representative** - Any non-profit or charity that wants to do that. What we don't want to do is have someone who tries to copy our exact model and come in and try to say we want your business. Why? It's free and we are paying the city \$20 a ton. It's a long term business model for a cause. We've never lost a city. We pride ourselves on that. We want to keep that going forward. So we look forward to working with you guys and your city.

**Mayor Pro-Tem Harrison** - Item 6 are you going to present in the Council?

**Bob Hart, City Manager** - I can make the presentation or Keith can make the presentation. It depends on the time frame you are looking at. It would probably be helpful if we could do the PowerPoint presentation.

**Mayor Pro-Tem Harrison** - How would you all like to have it? Do you want the PowerPoint now rather than at Council?

**Councilmember Johnson** - I think it needs to be presented to the general public since they are the ones that are going to be affected.

**Mayor Pro-Tem Harrison** - Let's do a presentation at the Council session.

**BUSINESS AGENDA ITEM**

7. Consider adoption of a resolution expressing intent to reimburse cost of projects.

**Councilmember Glockel** - That's just so we preserve our rights, correct?

**Bob Hart, City Manager** - That is right.

Mayor Pro-Tem Harrison recessed into Closed Session at 5:47 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 listed 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.

**Council Met In Executive Session From 5:48 P.M. until 6:45 P.M.**

**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:**

Mayor Heidemann adjourned the meeting at 6:47 P.M.

Meeting adjourned.

Approved by Council on 18<sup>th</sup> day of May, 2017.

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