

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

On this the 16th day of March, 2017 the City Council of the City of Corinth, Texas met in a Regular Session at the Corinth City Hall at 7:00 PM, 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:

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

Staff Members Present: Bob Hart, City Manager
Lee Ann Bunselmeyer, Finance Director
Fred Gibbs, Planning and Development Director
Curtis Birt, Fire Chief
Mack Reinwand, City Attorney
Kimberly Pence, City Secretary
Jason Alexander, Economic Development Director
Brenton Copeland, Technology Services Assistant Manager

***NOTICE IS HEREBY GIVEN** of a Regular 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, INVOCATION, PLEDGE OF ALLEGIANCE:

Mayor Heidemann called the meeting to order at 7:00 p.m. Bob Hart delivered the invocation and led in the Pledge of Allegiance.

Mayor Heidemann read into the record the Proclamations honoring Micah Pinson and Katie Landaverde.

PROCLAMATION:

The Prudential Spirit of Community Awards Honors Micah Pinson.

PROCLAMATION:

Katie Landaverde, Lake Dallas Elementary School Teacher, Winner of the Rather Prize Award.

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 January 12, 2017 Workshop Session.

2. Consider and act on minutes from the February 2, 2017 Joint Session.
3. Consider and act on minutes from the February 2, 2017 Regular Session.
4. Consider and/or act upon the approval of a Resolution to renew an agreement for ambulance billing services between Emergicon, LLC, and the City of Corinth.
5. Consider and approve purchase of replacement ambulance from Siddons-Martin.
6. Consider and act on Resolution with Government Capital regarding a financial contract for the purpose of procuring a replacement 2017 Road Rescue Ambulance.

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

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

MOTION CARRIED

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.

Bell Ann Hyten, President of Denton Hispanic Chamber, 1118 Oak Hollow Drive - I feel the Texas Health Resource (THR) Hospital is important to have here in Corinth and will create opportunity that the Chamber supports and also that we advocate and create jobs for many of the students that graduate from NCTC.

Gary Henderson, CEO United Way of Denton, 2232 Jefferson Trail - United Way conducted a needs assessment in 2012 around the areas of education, income and health and when we published that report the pushback that we had received from those on the front line serving our community was what about mental health. We went back added to that report and we found that there were 131,000 individuals living in Denton County that are diagnosed for one or more mental illnesses. We also found that our local mental health authority (MHMR) in Denton County is funded at roughly \$13.00 per person which ranks 29th out of the 38 local mental health authorities across the State of Texas. The need across Denton County is well documented. Today the largest mental health service provider across Denton County is our County Jail. Our Sherriff has between 30%-40% of his prison census population on a daily basis receiving mental health services. We know we have people falling through the cracks, their lives are not being repaired and restored. We know that there is a better way to direct them towards healing and restoration other than taking them to jail. I urge the Council to consider this agenda item.

Hope Galloway, 1500 North Corinth Street, NCTC - we graduate about 40 RN's each semester about 30 come from Denton County and a lot of them stay here. The problem that we are having is we are running into the lack of places to put them to keep them here and a lot of them are going to Dallas and doing their clinical's in Dallas because we are running out of space here. Our ultimate goal is to bring a health Science Center to Denton County so we can double the amount of RN's that are graduating to meet the community workforce needs that we have here. THR coming here provides a unique opportunity for our students because not only can they practice in traditional hospital setting but now they have another avenue that they can explore which is much needed. Mental Health is something that knows no

boundaries, it touches everybody whether it is a spouse, friend, colleague, or our students. Last semester, we have just over 2,000 students at our Flower Mound campus and two of our students ended their battle with mental health and they ended their lives. That is two too many. When we looked back on what we could do to help support our students we found that there was a lack of resources in that area specifically. A lot of where we are sending our students is Dallas and the Fort Worth area. We do not have the tools that we need to help that specific community.

BUSINESS AGENDA

- 7. Accept the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2016, as presented by Davis Kinard & Co, PC.

Lee Ann Bunselmeyer, Finance Director - we have finalized our year-end audit for September 30, 2016 and we received an unqualified or clean opinion from our auditors Davis, Kinard & Company, PC. During the audit we did have three adjustments, one, was the GASB 68 adjustment - Net Pension Asset/Liability on Financial Statements and the other two were corrections on year end entries that the staff had made.

When we look at the year-end it is always important to look at how we ended on our two largest funds and that would be your General Fund and Water/Wastewater Fund. In our General Fund we have a fund balance policy of 20% of budgeted expenditures with that policy benchmark we would need to maintain a fund balance of right at \$3 million at year end. On September 30th we ended with a fund balance of \$3.7 million.

In our Water/Wastewater fund we have a fund balance target of 25% of budgeted expenditures and that would require a balance of \$2.9 million and we did fall a bit shy of that at \$2.7 million so that is about \$150,000 less than where we should have been with our fund balance requirements.

Over the last two years we have had very heavy rains and that affects our water revenues. With that we budget an average year meaning it is not going to be to wet or to hot so whenever you have the extreme it does affect your revenues and that was the case in this year. We are not concerned with that and we anticipate we will be within policy target at the end of the current fiscal year.

When we look overall at our fund balance categories, everything was consistent from 2015 thru 2016, there were no big changes in increases or decreases except for that of our bond capital project fund and that was due to the issuance of the 2016 Certificates of Obligations for the building of the new Public Safety Facility. That actually increased by \$10 million and hopefully start construction sometime this year and by 2018 you should see that deplete as well. Overall we ended the fiscal year with a total fund balance in all your funds of \$28.8 million dollars.

When you look at our long-term debt, at the end of September we ended with about \$45 million in outstanding debt, the majority of that was for your general fund at \$33 million, water/wastewater ended the year with \$10 million of outstanding debt and the drainage fund ended with about \$2 million of outstanding debt and that does include principal and interest.

MOTION made by Councilmember Johnson to approve the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2016, as presented by Davis Kinard & Co, PC. Seconded by Councilmember Harrison.

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

MOTION CARRIED

8. Consider and act on the site plan for Swisher/35 Retail on property legally described as Swisher 35-E Addition, Lot 4, Block A zoned C-2, Commercial in the City of Corinth, Denton County, Texas. This property is located north of Swisher and south of Burl.

Fred Gibbs, Planning and Development Director - this is the site plan for the Swisher/35 Retail and is currently zoned C-2 and located along IH-35 in front of the Comfort Inn and is a little over 6300 square foot and meets our current Ordinances. We have approved numerous site plans on this same site and this one is located a little further south of the proposed Popeye's site that is currently being constructed right now.

Staff and the Planning and Zoning Commission recommend approval of this site plan tonight.

Councilmember Garber - there is not a proposed actual tenant to this building yet but was curious as to what type of tenant might we look forward to?

Chris Anderson, Provident Realty, Developer - this building has three tenants, two restaurants and a phone store.

MOTION made by Councilmember Garber to approve the site plan as presented. Seconded by Councilmember Burke.

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

MOTION CARRIED

9. Consider and act on a sign variance for Lake Dallas ISD School Addition Lot 1R, Block 1 in the City of Corinth, Denton County, Texas, having a physical address of 3016 Parkridge Drive.

Fred Gibbs, Planning and Development Director - this is the Lake Dallas High School sign variance. The applicant is proposing a monument sign with a changeable electronic variable message center (EMC) along Parkridge. EMC's are only allowed in our ordinance on freeways or arterials in this case FM 2181 and Lake Sharon are considered arterials in our Thoroughfare Plan. We don't allow them within 150 feet of a residentially zoned property unless they meet some lighting standards and properly shielded. The sign will be about 87' feet from the closest property line and 179' feet to the next.

They are proposing 5' foot in height which does meet our monument standard as written in our ordinance. Staff does support the need for the monument sign, however we would recommend the EMC be static (no flashing) and meet our residential foot-candle and luminance lighting standards set forth in the lighting and glare regulations in the Unified Development Code (UDC).

MOTION made by Councilmember Glockel to approve the changeable electronic variable message center at the 3016 Parkridge for the Lake Dallas High School with changes as stated by staff. Seconded by Councilmember Johnson.

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

MOTION CARRIED

10. Consider and act on a sign variance for Corinth Elementary Addition Lot 1, Block 1 in the City of Corinth, Denton County, Texas, having a physical address of 3501 Cliff Oaks Drive.

Fred Gibbs, Planning and Development Director - the applicant is requesting a 10' foot EMC monument sign. Our maximum height allowed for a monument sign is 5' foot. The rationale for the 10' foot is because of a grade issue from the Cliff Oak Road that dips down into the site and to ensure visibility the applicant has asked for the 10' foot sign to make sure you are at eye level on Cliff Oak.

Staff supports the need for a monument sign, however we would recommend the EMC be static (no flashing) and meet our residential foot-candle and luminance lighting standards set forth in the lighting and glare regulations in the Unified Development Code (UDC). We would also recommend additional landscaping around the base of the sign to help soften the additional height.

MOTION made by Councilmember Johnson to approve the site variance for Corinth Elementary Addition Lot 1, Block 1 in the City of Corinth, Denton County, Texas, having a physical address of 3501 Cliff Oaks Drive subject to staff's recommendations. Seconded by Councilmember Harrison.

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

MOTION CARRIED

11. Consideration of a motion to reconsider an ordinance amending the Comprehensive Zoning Ordinance being a part of the Unified Development Code, Ordinance No. 13-05-02-08, as amended, and a portion of Planned Development Ordinance No. 99-03-18-05, as amended, by amending the zoning to Planned Development C-2 Commercial District and adding "Hospital" as a Permitted Use on Lot 1, Block A, Corinth Medical Center Addition being 5.00 acres in the City of Corinth, Denton County, Texas and calling a public hearing and continuation of action on an ordinance to April 20, 2017.

Councilmember Burke recused himself from discussion on item #11.

Bob Hart, City Manager - this item has been placed on the agenda by Councilmember Johnson for reconsideration. We have asked Texas Health Resource to be here to present additional information to help the Council with the consideration of this item.

Peter Cavanaugh, Rep THR - we apologize for not providing a clear explanation at your last hearing when you officially considered this request. Thank you for hearing our request again. Our reason for being here tonight is to ask you to reconsider your vote and allow us to come before you on April 20, 2017. Between now and then we will prepare more written information and get that to you and have a more comprehensive presentation.

Ramona Osburn, Senior Vice President Behavioral Health THR - Texas Health Resources is the largest healthcare system in North Texas and also the largest employer in North Texas and one of the greatest places to work. Our system is based on treating the whole person body, mind and spirit. Part of that is our behavioral health division. Throughout North Texas we have 20 facilities spread out from Tarrant County all the way through Dallas County. Those facilities treat inpatients and outpatients from all different ages, from 5 years old to senior adults. One of the things we want to open here is the behavioral health hospital that treats children, adolescence, adults and geriatrics patients.

Our facilities are geared towards higher socio economic patients that suffer from behavioral health issues for example, we are the only ones that have the contract with the Dallas Cowboys to treat their players and their employees for behavioral health and we also have the contract for American Airlines, Dart and other employers throughout North Texas. We are asking you tonight to reconsider the decision that you made at the last meeting

and let us come to the open hearing.

Councilmember Johnson - asked Mr. Carlton to go over some of the things that was discussed in the prior meeting.

Andrew Carlton, Administrator THR - we are running an in-patient facility as well as an out-patient facility. The in- patient facility is where patients can come in and check in anywhere from 5 days to 7 days on average and looking at the out-patient care at that period of time. The out-patient care will be anywhere from 2 to 4 weeks and then we have another out-patient clinic as well in Flower Mound.

Councilmember Garber - can you explain your out-patient services more in detail? What can we expect to see coming and going from your facility? One of the concerns throughout the community is maybe there is a methadone clinic where people are coming and going with out-patient drug rehab type things and there is a sever amount of apprehension and concern with some of those things. We don't see anything that provides a different story. Do you have that other side of the story as to why the facility is so secure and what is that out-patient drug rehab piece?

Andrew Carlton, Administrator THR - the facility is so secure simply because that is state requirements for an in-patient facility. We have to follow the state requirements and you would find that in any behavioral health facility. As far as the out-patient side, we would be dealing with patients of all ages, substance abuse as well as mental health. Individuals that are receiving substance abuse treatment have already achieved a certain level within their sobriety that they are given a less restrictive environment where they are coming to the facility between 8:00 am and 5:00 pm Monday through Friday and receiving random drug checks throughout that period of time to ensure that they remain sober during that period of time.

Councilmember Johnson - whenever a patient comes to your facility the things that we talked about was the security, transferring the patient etc... I think that is another community concern is that level of security and why you would need things like a 10' foot wall outside of your play area? Those kind of questions because that brings a level of fear to the folks that live around the facility. There is residential all around this facility and you have things that go with residential, you have family, kids and huge soccer program and presence at our community park that is what they are concerned about. What can you do to help the community work through those issues?

Andrew Carlton, Administrator THR - the fence is necessary due to patient protection rights so their personal health information is protected and it is a state requirement whereby patient are allowed to go outside.

Ramona Osburn, Senior Vice President Behavioral Health THR - another reason we have that outdoor area and we do keep that fence or wall around it is for the kids and we would hate for the kids to get out and get in the street.

Councilmember Johnson - is there also a Federal law component that protects the patients right of privacy with regards to those things as well? Does that play into this decision?

Ramona Osburn, Senior Vice President Behavioral Health THR - yes, and it does because for example if all those kids were outside playing and people could see them think of all the stigma that may carry on in the community at school.

The patients that come into our center are a higher socio economic, we do not do any type of methadone treatment or anything like that. We do group counseling for them, they had to go through detox so that they are off all of the substances and then they can go to our out-patient programs. They are people that are just like us that may have a problem with alcohol or something and just needs some group therapy treatment.

Mayor Heidemann - where do your patients come from? How do they come to your facility? Is there a prescription from psychologists or from a doctor that qualifies them to come there?

Ramona Osburn, Senior Vice President Behavioral Health THR - most of the time it is by a referral so the referral usually comes within the Texas Health Resources and we have a group of 1,000 primary care physicians called Texas Health Physician Group, a lot of them utilize our services. We are partners with numerous employers throughout North Texas so I would say 98% of our patients are sent from referrals.

Councilmember Garber - your Southlake facility, is it going to be exactly like the Corinth facility as far as the services offered?

Ramona Osburn, Senior Vice President Behavioral Health THR - the out-patient services will be identical.

Councilmember Glockel - the last time you were here I didn't get a warm fuzzy feeling about security and there was a lot of questions about where they would come from nor did we get answers about sally port style where a police officer could hand off and those kind of things. As I understand it you take no referrals from the County, from law enforcement so that is not an issue is that correct?

Ramona Osburn, Senior Vice President Behavioral Health THR - we are not going to be taking voluntary patients at this facility.

Councilmember Glockel - there were several questions that was a little vague regarding the overall security and in my mind that was where you got a no vote from me. I did not feel comfortable with the answers and I appreciate you coming back and giving us an idea of what you are really doing. I am still very uncomfortable with the out-patient from 8:00 am to 5:00 pm, what if I am one of your patients and someone drops me off and 5:00 rolls around and you close the door where do I go? If no one has picked me up by 5:00 pm what are you going to do with me?

Ramona Osburn, Senior Vice President Behavioral Health THR - we would get you home either by taxi or one of us. That is our responsibility and hopefully that will not happen with our patients. We have a huge family component to our out-patient program as well where family participate with the patient. Last year we treated 35,000 in-patients and 60,000 out-patients throughout THR Behavioral Health and I can't remember a time when anybody left one of their folks but if that did happen it would be our responsibility to get them home. We are a 25/7 facility so we have staff there because we are also in-patient so our staff would stay with that patient either until their family could get there or get them home.

Councilmember Glockel - and there would be a mechanism in place that I would know that as an out-patient?

Ramona Osburn, Senior Vice President Behavioral Health THR - absolutely.

Councilmember Garber - I think maybe another concern is at the 3:00 and 5:00 hour there is a lot of kids out with fishing poles and they are 8 and 10 years old and it is becoming the community environment and I don't mean to stress it too much but there is still an amount of questions to be addressed. Exactly what are those mechanisms going to be to keep the children safe?

Ramona Osburn, Senior Vice President Behavioral Health THR - we have certain mechanisms in place. When you come in to our facility if you look at our front doors they open by a switch that is held by our front desk people. So whether you are an out-patient or an in-patient you cannot just come and go as you please you stay through the length of the program. People are not going to be gathered outside our facility at any time. if you look at us in Southlake, we are two blocks from Carroll ISD and we have not had any problems over there and we have been there since 2007.

Councilmember Harrison - we are looking for answers from you and how can we answer our citizens with those type of questions that are being presented to you. I hope you provide more guidance to us to allow us to make a reasonable decision.

MOTION made by Councilmember Johnson to reconsider the Ordinance amending the Comprehensive Zoning Ordinance being a part of the Unified Development Code, Ordinance No. 13-05-02-08, as amended, and a portion of Planned Development Ordinance No. 99-03-18-05, as amended, by amending the zoning to Planned Development C-2 Commercial District and adding "Hospital" as a Permitted Use on Lot 1, Block A, Corinth Medical Center Addition being 5.00 acres in the City of Corinth, Denton County, Texas and calling a public hearing and continuation of action on an ordinance to May 4, 2017. Seconded by Councilmember Harrison.

Councilmember Johnson - I think you understand the apprehension and the fear in the community and you need to be out in that area talking to those folks explaining to them who you are, what you are, what you plan to do, what you want to do and how successful you have been in other places. You need to reach to them and also make sure that our staff understands that as well.

Ramona Osburn, Senior Vice President Behavioral Health THR - absolutely we will reach out.

AYES: Johnson, Harrison, Glockel
NOES: Garber
ABSTAIN: Burke

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 - had asked our City Manager to inquire about whether or not we could possibly be added to a potential Bill that was expanding the use of park funds in the City of Denton and get an update at a future workshop on the progress of that.

Councilmember Harrison - this afternoon one of our city employees notified me he was going to switch out my water meter and he was very professional and I appreciate that.

The two business items we considered tonight regarding the digital monument signs, we need to consider changing or modifying the Unified Development Code (UDC) to allow these types of things.

Councilmember Glockel - would like a follow-up if there has been anything done on the traffic light configuration at both Swisher and Corinth Parkway. When a train is going north and south it locks the traffic down in every direction. The North Texas traffic folks were here six months ago or a year ago and acted as if they were not aware of this and said they would get involved with our staff and see if we could do something about it.

The track seems to be settling and needs some attention at Dobbs Road and Corinth Parkway coming from the Shady Shores School.

Mayor Heidemann - would like to see an update on the fire contract on a future agenda. Also would like to see the item for the line of credit for a workshop discussion.

CLOSED SESSION

There was no 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.

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.

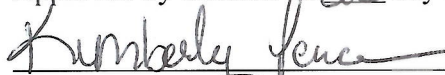
RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON CLOSED SESSION ITEMS.

ADJOURN:

Mayor Heidemann adjourned the meeting at 8:16 P.M.

AYES: All

Approved by Council on 20 day of April, 2017.



Kimberly Pence, City Secretary
City of Corinth, Texas

