



## CITY COUNCIL WORKSHOP AND REGULAR SESSION - MINUTES

Thursday, September 15, 2022 at 5:45 PM

City Hall | 3300 Corinth Parkway

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### STATE OF TEXAS COUNTY OF DENTON CITY OF CORINTH

On this, the 15th day of September 2022, the City Council of the City of Corinth, Texas, met in Workshop & Regular Session at the Corinth City Hall at 5:45 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:

#### **Councilmembers Present:**

Bill Heidemann, Mayor  
Sam Burke, Mayor Pro Tem  
Scott Garber, Councilmember  
Tina Henderson, Councilmember  
Steve Holzwarth, Councilmember  
Kelly Pickens, Councilmember

#### **Staff Members Present:**

Lee Ann Bunselmeyer, Interim City Manager  
Lana Wylie, City Secretary  
Patricia Adams, City Attorney  
Jerry Garner, Police Chief  
John Webb, Development Services Director  
Glenn Barker, Public Works Director  
Elise Back, Director of Economic Development  
Michelle Mixell, Development Services Manager  
Shea Rodgers, Chief Technology Officer  
Lance Stacy, City Marshal

#### **CALL TO ORDER**

Mayor Heidemann called the meeting to order at 5:46 PM.

#### **WORKSHOP AGENDA**

1. Review and discuss activities and work assignments for the Pumpkin Palooza Festival.  
The item was presented and discussed.
2. Receive a report, hold a discussion, and provide staff direction on the Fiscal Year 2023 Annual Program of Services and Capital Improvement Program.  
The item was presented and discussed.
3. Regular Meeting Items on Regular Session Agenda, including the consideration of closed session items as set forth in the Closed Session agenda items below.

No items for the Regular Session were discussed.

## **ADJOURN WORKSHOP**

Mayor Heidemann adjourned the Workshop Session at 6:08 P.M. and immediately convened into Executive Session.

## **CLOSED SESSION\*\***

In accordance with Chapter 551, Texas Government Code, Section 551.001, et seq., (the "Texas Open Meetings Act"), the City Council will recess into Executive Session (closed meeting) to discuss the following items. Any necessary final action or vote will be taken in public by the City Council in accordance with this agenda.

**Section 551.071 - Legal Advice.** (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 conflict with Chapter 551.

- a. Unauthorized third-party use of City-owned property and authorization of eviction proceedings.
- b. Council roles and responsibilities.

**Section 551.074 - Personnel Matters.** 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.

- a. City Manager.

**Section 551.087 - Economic Development.** 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 project.

- a. Project Agora.

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

Mayor Heidemann recessed the Executive Session at 6:35 P.M.

## **CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE**

Mayor Heidemann called the Regular Session Meeting to order at 6:41 P.M.

## **CITIZENS COMMENTS**

Please limit your comments to three 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. Council is prohibited from acting on or discussing items brought before them at this time.

**View comments via Audio/Video:** [Video](#).

Earline Jackson - 2107 Bowie Lane, Corinth - Senior Tax Freeze

The following support a Senior Tax Freeze:

Kathryn Hurst - 1627 Redwood Drive, Corinth  
Debbie Murray - 2205 Mayfield Circle, Corinth  
Donna Weems - 23 Muirfield Street, Corinth  
Rick Weems - 23 Muirfield Street, Corinth

## CONSENT AGENDA

All matters listed under the consent agenda are considered to be routine and will be enacted in one motion. Should the Mayor or a Councilmember 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 August 30, 2022, City Council Meeting.
2. Consider and act on minutes from the September 1, 2022, City Council Meeting.
3. Consider approval of a Resolution authorizing the change of authorized representatives for the Texas Local Government Investment Pool (TexPool).
4. Consider approval of a Resolution authorizing the change of authorized representatives for the Texas Short Term Asset Reserve Program (TexSTAR).

Motion made by Council Member Garber to approve the Consent Agenda as presented. Seconded by Council Member Henderson.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

## PUBLIC HEARING

5. Conduct a Public Hearing to consider testimony and act on a rezoning request by the Applicant, Asvalo Real Estate, to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code of the City, from SF-4 Single Family Residential and C-1 Commercial to a Planned Development with two base zoning districts to include MF-3 Multi-Family Residential and SF-4 Single Family Residential, on approximately ±58 acres located on the south side of Lake Sharon Drive, and generally west of Trinity Terrace and Dickinson Drive, north of Custer Road and Meadowview Drive, and east of Zachary Drive. Case No. ZAPD22-0002 – Lake Sharon Mixed Residential (LSMR).

The item was presented by the developer and discussed.

Mayor Heidemann opened the Public Hearing at 7:17 P.M.

View comments via Audio/Video: [Video](#).

The following were AGAINST the item:

Orlin Chotev - 2015 Yellowstone Lane, Corinth  
Christi Clark - 2400 Beckley Court, Corinth  
Mike Clark - 2709 Parkview Drive, Corinth  
Jared Dale - 2807 Goodnight Trail, Corinth  
Beau DeKerguelen - 3017 Brett Drive, Corinth  
Beverly DeKerguelen - 3107 Brett Road, Corinth  
Alanna Fickes - 2712 Cherokee Trail, Corinth  
Misty Graves - 2302 Brazos Drive, Corinth  
Peter Graves - 2302 Brazos Drive, Corinth  
Brian Head - 2700 Warwick Drive, Corinth  
Tyler Head - 2700 Warwick Drive, Corinth

Susan Heck - 3202 Blue Jay Drive, Corinth  
Michael Howard - 3407 Fairview Drive, Corinth  
Earline W. Jackson - 2107 Bowie Lane, Corinth  
Dave Johnson - 2805 Hollis Drive, Corinth  
Michael King - 2610 Zachary Drive, Corinth  
Dena Kupiec - 2617 Trinity Terrace, Corinth  
Melvin Locklear - 1602 Oakhollow Drive, Corinth  
Austin Ortega - 2801 Custer Drive, Corinth  
Sarah Smith - 3407 Fairview Drive, Corinth  
Steve Smith - 3407 Fairview Drive, Corinth  
Robert Stonecipher - 2520 Meadowview, Corinth  
Steve & Lauren Tryling - 2618 Zachary Drive, Corinth  
Brenda Westcon - 2804 Cochise Court, Corinth  
Andrea Yager - 2008 Barton Springs Drive, Corinth  
Debra Yager - 2016 Baker Drive, Corinth  
Jeremy Young - 2608 Zachary Drive, Corinth

The following were **FOR** the item:

Heather Kinopka, 4101 William D. Tate, Grapevine, TX  
Don Cadenhead - 2600 Lake Sharon Drive, Corinth

Mayor Heidemann closed the Public Hearing at 8:01 P.M.

Motion made by Council Member Garber to deny Case No. ZAPD22-0002 – Lake Share Mixed Residential (LSMR). Seconded by Mayor Pro Tem Burke.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Henderson, Council Member Pickens

Voting Abstaining: Council Member Holzwarth

6. Conduct a public hearing to consider testimony and act on proposed amendments to the City's Unified Development Code (UDC) regarding Subsection 2.07.03 – Use Chart; Subsection 2.09.02 – Tree Preservation; Subsection 3.03.03 – Final Plat; Subsection 4.01.15 – General Sign Requirements; and Subsection 5.02 – Words and Terms Defined (ZTA22-0001 – UDC Misc. Text Amendments)

The item was presented and discussed.

Mayor Heidemann opened the Public Hearing at 8:22 PM and closed it at 8:22 PM.

No comments were made.

Motion made by Council Member Pickens to approve the requested amendments as submitted and direct staff to prepare an ordinance for a future meeting. Seconded by Mayor Pro Tem Burke.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Henderson, Council Member Pickens

## **BUSINESS AGENDA**

7. Consider and act on the Chapter 380 Economic Development Incentive Agreement with Realty Capital Management, LLC for the development of a mixed-use project in the Agora at Corinth district.

Motion made by Council Member Garber to approve Resolution No. 22-09-15-21 for the Chapter 380 Economic Development Incentive Agreement as presented. Seconded by Mayor Pro Tem Burke.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

8. Consider and act on the Unimproved Property Contract with Realty Capital Management, LLC for the purchase of the 20.866 acres for a mixed-use development.

Motion made by Council Member Henderson to approve Resolution No. 22-09-15-22 for the purchase and sale agreement of approximately 20.859 +/- from the CEDC to Realty Capital Management, LLC, and authorizing the Interim City Manager and CEDC President to execute the necessary documents. Seconded by Council Member Garber.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

9. Consider and act on an Ordinance of the City Council of the City of Corinth, Texas, amending various sections of Chapter 33 "Boards, Commissions and Departments" of Title III "Administration" of the Code of Ordinances of the City of Corinth to provide for amendments related to the membership of the Keep Corinth Beautiful Commission; adding a member to the Commission and providing for a subcommittee of the Commission to serve as the Parks and Recreation Board; providing for related amendments; and providing an effective date.

Motion made by Mayor Pro Tem Burke to approve Ordinance No. 22-09-15-32 combining the Keep Corinth Beautiful Commission and the Parks and Recreation Board. Seconded by Council Member Pickens.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Henderson, Council Member Pickens

10. Consider and act on nominations, appointments, resignations, and removal of board, commission, and committee members.

Motion made by Council Member Henderson to approve the list of appointees to the Boards, Commissions, and Committees for 2022-2023 and to include the list in the meeting minutes. Seconded by Mayor Pro Tem Burke.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Henderson, Council Member Pickens

11. Consider and act on the appointment of Chair and Vice Chair for the Planning & Zoning Commission.

Motion made by Mayor Pro Tem Burke to appoint Alan Nelson as Chair and Mark Klingele as Vice-Chair of the Planning and Zoning Commission for the term of one year beginning October 1, 2022 and ending September 30, 2023. Seconded by Council Member Garber.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Henderson, Council Member Pickens

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

Motion made by Mayor Pro Tem Burke to approve a contract with Scott Campbell for the position of City Manager beginning October 3, 2022. Seconded by Council Member Garber.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

**COUNCIL COMMENTS & FUTURE AGENDA ITEMS**

The purpose of this section is to allow each Council Member the opportunity to provide general updates and/or comments to fellow Council Members, 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 Council Member may direct that an item be added as a business item to any future agenda.

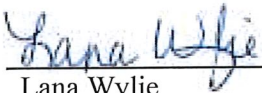
**View comments via Audio/Video: [Video](#).**

Council Member Garber  
Council Member Henderson  
Council Member Pickens  
Interim City Manager Bunselmeyer  
Mayor Heidemann

**ADJOURN**

Mayor Heidemann adjourned the Regular Session Meeting at 8:30 P.M.

Approved by the Council on the 20th day of October 2022.

  
Lana Wylie  
City Secretary  
City of Corinth, Texas



**BOARD APPOINTMENTS - TERM ENDING SEPTEMBER 2024**

Place Name  
**ECONOMIC DEVELOPMENT**

Place 2	Melanie Moore
Place 4	Grady Ray
Place 6	Annette Copeland

**PLANNING & ZONING**

Place 3	Rebecca Rhule
Place 7 (1st Alt)	Wade May

Place 2	Mark Klingele
Place 4	Alan Nelson
Place 6 (2nd Alt)	Adam Guck

**BOARD OF ADJUSTMENTS/BOARD OF CONSTRUCTION APPEALS**

Place 2	Bradford Harrold
Place 4	Crystin Jones
Place 6 (2nd Alt)	Jeff Swartwout

**PARKS AND RECREATION BOARD**

Place 1	Adam Johnson
Place 3	Dena Guyette
Place 5	Vacant

Place 2	Vacant
Place 4	Joshua Terkelsen

**PARKS/KCB BOARD**

Place 2	Joshua Terkelsen
Place 4	Christi Sessions
Place 6	Jesse Knuckles
Place 8	Lillian McBeth
Place 10	Burleigh Woods Jr.

**FINANCE AUDIT COMMITTEE**

Place 5	Jared Eutsler
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**ETHICS COMMITTEE**

Place 2	Lauren Kuzniarek
Place 4	Ryan Gamble