



CITY COUNCIL WORKSHOP AND REGULAR SESSION - MINUTES

Thursday, September 21, 2023 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 21st day of September 2023, the City Council of the City of Corinth, Texas, met at 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:

Council Members Present:

Bill Heidemann, Mayor
Sam Burke, Mayor Pro Tem
Scott Garber, Council Member
Steve Holzwarth, Council Member
Tina Henderson, Council Member

Council Members Absent:

Kelly Pickens, Council Member

Staff Members Present:

Scott Campbell, City Manager
Lana Wylie, City Secretary
Patricia Adams, City Attorney
Jerry Garner, Police Chief
Chad Thiessen, Fire Chief
John Webb, Development Services Director
Guadalupe Ruiz, Director of Human Resources
Lee Ann Bunselmeyer, Director of Finance & Strategic Services
Glenn Barker, Director of Public Works
Emma Crotty, Economic Development Coordinator & Mgmt Assistant
Michelle Mixell, Planning Manager
Brenton Copeland, Chief Technology Officer
Derek Dunham, Technology Services Specialist
Justin Horrer, Technology Services Specialist III
Garrett Skrehart, GIS Manager
Lance Stacy, City Marshal

CALL TO ORDER

Mayor Heidemann called the Workshop Session to order at 5:45 P.M.

WORKSHOP AGENDA

1. Interview a candidate for placement on the Keep Corinth Beautiful/Parks Board and discussion of same.

The City Council interviewed the applicant.

2. Interview a candidate for placement on the Corinth Economic Development Corporation and discussion of same - Riley.

The City Council interviewed the applicant.

3. Interview a candidate for placement on the Corinth Economic Development Corporation and discussion of same - Singh.

The applicant declined the interview.

4. Receive a report and provide comments on the 2023 Impact Fee Update related to Roadway, Water, and Wastewater Capital Improvements. (CIP23-0004 – Impact Fee Update)

The item was presented and discussed.

5. Discuss items on the Regular Session Agenda, including the consideration of Executive Session items.

No items for the Regular Session Meeting were discussed.

ADJOURN WORKSHOP

Mayor Heidemann adjourned the Workshop Session at 6:23 P.M. and immediately convened into Executive Session.

EXECUTIVE 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 governmental body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflict with Chapter 551.

- a. Interlocal Agreement between the City of Corinth, Texas and the Lake Cities, for Fire Services.

Section 551.072 - Real Estate. To deliberate the purchase, exchange, lease, or value of real property if deliberations 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 - 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 Duties and Organizational Structure.

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. RAK Real Estate Equities.
- b. Realty Capital First Economic Development Agreement.
- c. Chapter 380 Agreement - Wolverine Interests, LLC.
- d. Economic Development Performance Agreement and Tax Abatement Agreement - DATCU.

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

Mayor Heidemann recessed the Executive Session at 8:40 P.M. and reconvened into open session.

The following motion was made out of Executive Session:

Motion made by Council Member Garber to move the commencement date of construction in the agreement to March 31, 2024 and also motioned to move the hotel, phase two to June 30, 2024 and authorize the Mayor to execute the amended document for Realty Capital. Seconded by Mayor Pro Tem Burke.

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

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

Mayor Heidemann called the Regular Session Meeting to order at 8:45 P.M.

PROCLAMATIONS AND PRESENTATIONS

1. Proclamation supporting 2023 World Teachers' Day, October 5th.

Council Member Garber read the Proclamation.

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.

No citizen comments were made.

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 Council Member 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 September 7, 2023, City Council Meeting.
3. Consider and act on a Memorandum of Understanding (MOU) between the City of Corinth, on behalf of the Corinth Police Department, and the U.S. Immigration and Customs Enforcement Homeland Security

Investigations (HSI) authorizing one (1) Corinth police investigator to be trained as a federal Customs agent and have the federal enforcement powers accompanying that position.

4. Consider and act on the appointment of James Christopher Abel as Associate Municipal Judge for the City of Corinth Municipal Court of Record and approval of a contract for services.
5. Consider and act on Ordinances abandoning a Water/Sewer Easement, as depicted on Instrument Numbers 2009-119581, 2008-112872, 2004-163301, 2008-29768, 1972-11591(DR Vol 00650 Page 292-293) and 1972-11633 (DR Vol 00650 Page 358-359), in relation to the future development of the Marlowe at Corinth Groves within the City of Corinth.

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

PUBLIC HEARING

6. Conduct a Public Hearing to consider testimony and consider and act on an ordinance amending Section 2, "Zoning Regulations;" Section 3, "Subdivision Regulations;" Section 4, "Sign and Fence/Screening Regulations;" and Section 5, "Definitions;" of the City's Unified Development Code. Case No. ZTA23-0002 – UDC Amendments

The item was presented and discussed.

Mayor Heidemann opened the Public Hearing at 9:04 P.M and closed it at 9:04 P.M. No comments were made.

Motion made by Mayor Pro Tem Burke: I move to approve Ordinance No. 23-09-21-37 amending Section 2, "Zoning Regulations," Section 3, "Subdivision Regulations," Section 4, "Sign and Fence/Screening Regulations," and Section 5, "Definitions," of the City's Unified Development Code. Seconded by Council Member Garber.

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

BUSINESS AGENDA

7. Consider and act on an Ordinance adopting a Budget and Annual Program of Services and the first year of the Capital Improvement Plan and appropriating resources for the fiscal year beginning October 1, 2023 and ending September 30, 2024 for the City of Corinth; and providing an effective date.

Motion made by Council Member Garber: I move to approve an ordinance adopting the Budget and the first year of the Capital Improvement Plan and appropriating resources for the budget year beginning October 1, 2023 and ending September 30, 2024 for the City of Corinth. Seconded by Mayor Pro Tem Burke.

Roll call vote: Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson

8. Consider and act on an Ordinance approving the 2023 Tax Rolls and accepting the anticipated collection rate of 100 percent for the fiscal year beginning October 1, 2023 and ending September 30, 2024.

Motion made by Council Member Henderson: I move to approve the ordinance accepting the 2023 Tax Roll and to accept the submission of the certified collection rate of 100 percent for the fiscal year beginning October 1, 2023 and ending September 30, 2024. Seconded by Council Member Garber.

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

9. Consider and act on an Ordinance levying and adopting the tax rate for the 2023-2024 Fiscal Year.

Motion made by Mayor Pro Tem Burke: I move that the property tax rate be increased by the adoption of a tax rate of \$0.52000 per \$100 valuation, which is effectively a 9.96 percent increase in the tax rate. Seconded by Council Member Garber.

Roll call vote: Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson

10. Consider and act to ratify the property tax increase reflected in the city's Budget and Annual Program of Services for Fiscal Year 2023-2024.

Motion made by Council Member Henderson: I move to ratify the property tax increase reflected in the city's annual budget for FY2023-2024. Seconded by Council Member Garber.

Roll call vote: Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson

11. Consider and act on a Resolution approving a compensation plan for employees, adopting pay schedules for Public Works, General Government, Police, and Fire; and providing for an effective date.

Motion made by Council Member Garber: I move to approve Resolution No. 23-09-21-15 approving a compensation plan for its employees, adopting pay schedules for Public Works, General Government, Police, and Fire; and providing for an effective date of September 25, 2023. Seconded by Council Member Henderson.

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

12. Consider and act on annual appointments, resignations, and removal of board and commission members for all City Boards, Commissions and Committees.

Motion made by Mayor Pro Tem Burke: With regard to the appointments to Economic Development, Place 1, Andrea Brainard, Place 3, Randy Clark, Nickolas Kokoron, Place 5, Ashley Ingle, Place 7 and Place 6, Michael Lane. With regard to the proposed appointments to Planning & Zoning, Place 1, Katiebeth Bruxvoort, Place 3, Rebecca Rhule, Place 5, Adam Guck, Place 7, Chris Smith. With regard to Board of Adjustments/Board of Construction Appeals, Place 5, Lindsey Rayl. With regard to Keep Corinth Beautiful and the Parks Board, which have been consolidated, Place 1, Molly Thornton, Place 3, Eric Schadegg, Place 9, Carolyn Hayward. With regard to the Finance Audit Committee, I nominate myself, which I think is a permanent position from the Council; and Place 5, Jared Eutsler. Seconded by Council Member Garber.

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

13. Consider and act on an ordinance of the City Council of the City of Corinth Texas authorizing the City Manager to execute an agreement between the City of Corinth and the Lake Cities Chamber of Commerce for the payment and use of Hotel Tax Revenue.

Motion made by Council Member Garber: I move to approve the Agreement with the Lake Cities Chamber of Commerce authorizing the use of Hotel Occupancy Tax. Seconded by Mayor Pro Tem Burke.

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

14. Consider and act on the execution of the First Amendment to the Unimproved Property Contract with Mansfield Multifamily Land, LLC., for the purchase of 6.04 acres for a multifamily development; and authorize the Mayor or his designee to execute the necessary documents.

Motion made by Council Member Garber I move to approve as presented. Seconded by Mayor Pro Tem Burke.

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

15. Consider and act on authorizing the City Manager to negotiate a Professional Services Agreement with Tyler Technologies for a permitting software program and related implementation services for an amount not to exceed \$350,000 and to execute the necessary documents.

Motion made by Council Member Garber: I move to authorize the City Manager to negotiate a Professional Services Agreement with Tyler Technologies for a permitting software program and related implementation for services for an amount not to exceed \$350,000. Seconded by Council Member Henderson.

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

16. Consider and act on nominating up to five individuals to serve on the Denton Central Appraisal District Board of Directors, to serve a one-year term ending on December 31, 2024.

Motion made by Council Member Garber: I would like to throw Jared Eutsler's name into the hat as a nomination. Seconded by Mayor Pro Tem Burke.

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

17. Consider and act on the Architectural Standards component of the Site Plan for the development of approximately ± 13 acres located at the southwest corner of Corinth Parkway and the I-35E service road, consisting of 312 multifamily units, limited ground floor retail, and related amenities. Applicant: Tate Braun, on behalf of the property owner, RCM Corinth Land, LLC. Case No. SPC23-0001: Parkway Lofts

This item was tabled to the October 19, 2023, City Council Meeting.

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

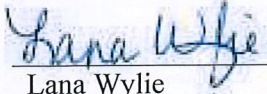
The purpose of this section is to allow each Council Member the opportunity to provide general updates and/or comments to fellow Council Members, the public, and/or staff on any issues or future events. Also, in accordance with Section 30.085 of the Code of Ordinances, at this time, any Council Member may direct that an item be added as a business item to any future agenda.

Council Member Henderson
City Manager Campbell
Mayor Heidemann

ADJOURN

Mayor Heidemann adjourned the Regular Session Meeting at 9:28 P.M.

Approved by the Council on the 19th day of October 2023.



Lana Wylie
City Secretary
City of Corinth, Texas