



CITY COUNCIL WORKSHOP AND REGULAR SESSION – MINUTES

Thursday, July 18, 2024 at 5:45 PM

City Hall | 3300 Corinth Parkway

View live stream: <https://www.cityofcorinth.com/city-council/page/city-council-workshop-and-regular-session-94>

STATE OF TEXAS COUNTY OF DENTON CITY OF CORINTH

On this, the 18th day of July 2024, 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
Tina Henderson, Council Member
Kelly Pickens, Council Member

Council Members Not Present:

Lindsey Rayl, Council Member

Staff Members Present:

Scott Campbell, City Manager
Lana Wylie, City Secretary
Patricia Adams, City Attorney
Jerry Garner, Police Chief
Chad Theissen, Fire Chief
Lee Ann Bunselmeyer, Finance & Strategic Services Director
Melissa Dailey, Development Services Director
Glenn Barker, Public Works Director
Melissa Dolan, Parks, Recreation & Strategic Asset Manager
Brenton Copeland, Chief Technology Officer
Cesar Balderas, Information Technology Services Manager
Presley Sequeira, Technology Services Project Manager
Lance Stacy, City Marshal

CALL TO ORDER

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

WORKSHOP AGENDA

1. Receive a report, hold a discussion, and provide staff direction on the National Institute of Standards and Technology audit.

The item was presented and discussed.

2. Receive a report, hold a discussion and provide staff direction regarding the Commons at Agora Park and the Community Park's Sports Complex.

The item was presented and discussed.

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

No items for the Regular Session Agenda were discussed.

ADJOURN WORKSHOP

Mayor Heidemann recessed the Workshop Session at 6:33 P.M.

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

Mayor Heidemann called the Regular Session Meeting to order at 6:38 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.

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.

1. Consider and act on minutes from the June 6, 2024, City Council Meeting.
2. Consider and act on minutes from the June 18, 2024, City Council Meeting.
3. Consider and act on minutes from the June 20, 2024, City Council Meeting.
4. Consider and act on an Ordinance amending the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code of the City to rezone 15 properties totaling approximately ±36.1 acres from I Industrial, C-2 Commercial, and Planned Development No. 21 (PD-21) to MX-C Mixed Use Commercial, with the subject properties being generally located at 3300 Corinth Pkwy, 2700 W Shady Shores Rd, 1200 N. Corinth St, 1206 N. Corinth St, 1212 N. Corinth St, 3009 Walton Dr, 1501 N. Corinth St, west of N. Corinth St and south 1400 N. Corinth St, the northeast corner of N. Corinth St and Walton Dr, the northeast corner of I-35E and Corinth Pkwy, and the southeast corner of I-35E and Corinth Pkwy. Case No. ZMA24-0001 MX-C Rezoning.
5. Consider and act on an Ordinance amending the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code of the City to amend the boundary of Planned Development No. 21 (PD-21), as adopted by Ordinance No. 99-03-18-05 and amended by Ordinance No. 24-03-21-14, to remove 3 properties totaling approximately ±7.8 acres generally located at 3300 Corinth Pkwy and the northeast corner of I-35E and Corinth Pkwy. Case No. ZAPD24-0004 PD-21 Boundary Amendment
6. Consider and act on an Interlocal Agreement between Denton County and the City of Corinth, on behalf of the Public Works Department for use of Denton County's radio communications system, Tier 1, for fiscal year 2024-2025, in an amount not to exceed \$2,496.00.

7. Consider and act on an Interlocal Agreement between Denton County and the City of Corinth, on behalf of the Police Department, for use of Denton County's radio communications system, Tier 3, for fiscal year 2024-2025, in an amount not to exceed \$6,984.00.
8. Consider and act on an Interlocal Agreement between Denton County and the City of Corinth on behalf of the Lake Cities Fire Department (LCFD) for use of Denton County's radio communications system, Tier 3, for fiscal year 2024-2025, in an amount not to exceed \$7,848.00.
9. Consider and act on an Engineering Services Agreement between the City of Corinth and Birkhoff, Hendricks & Carter, L.L.P. for the purpose of engineering the reconstruction of roadway and drainage improvements of W. Shady Shores Road between Fritz Lane and 500-feet west of Swisher Road and authorize the City Manager to execute the necessary documents.
10. Consider and act on a Statement Covering Utility Construction Contract Work with Texas Department of Transportation (TxDOT) to provide notification of procedure for contracting work associated with the I35E Utility Relocation Project and authorize the City Manager to execute necessary documents.

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

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

PUBLIC HEARING

11. Consider and act on an Ordinance amending the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, to rezone approximately ±20.6 acres from I Industrial to MX-C Mixed Use Commercial, with the subject property being located at 1500 N. Corinth Street. (Case No. ZMA24-0002 North Central Texas College MX-C Rezoning)

Mayor Heidemann opened the Public Hearing at 6:44 P.M. and immediately closed the Public Hearing.

No comments were made.

Motion made by Council Member Henderson: I move to approve Ordinance No. 24-07-18-26, Case No. ZMA24-0002 as presented. Seconded by Mayor Pro Tem Burke.

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

12. Consider and act on an Ordinance amending the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, to rezone five properties totaling approximately ±10.9 acres from Planned Development No. 44 (PD-44) to MX-C Mixed Use Commercial, with the subject properties being generally located at the northeast corner of Lake Sharon Dr and S I-35E. (Case No. ZMA24-0004 Millennium MX-C Rezoning)

Mayor Heidemann opened the Public Hearing at 6:52 P.M. and immediately closed the Public Hearing.

No comments were made.

Motion made by Council Member Pickens: I move to approve Ordinance No. 24-07-18-27, Case No. ZMA24-0004 as presented. Seconded by Council Member Garber.

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

13. Consider and act on an Ordinance amending the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, by amending the boundary of Planned Development No. 44 (PD-44), as adopted by Ordinance No. 16-08-18-26, to remove five properties totaling approximately ±10.9 acres generally located at the northeast corner of Lake Sharon Dr and S I-35E. (Case No. ZAPD24-0005 PD-44 Boundary Amendment)

Mayor Heidemann opened the Public Hearing at 6:54 P.M. and immediately closed the Public Hearing.

No comments were made.

Motion made by Council Member Garber: I move to approve Ordinance No. 24-07-18-28, Case No. ZAPD24-0005 and PD-44 as presented. Seconded by Mayor Pro Tem Burke.

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

BUSINESS AGENDA

14. Consider and act on a Resolution for the appointment of one member to the Board of Managers of the Denco Area 9-1-1 District.

Motion made by Council Member Pickens: I move to approve Resolution No. 24-07-18-03 appointing Jim Carter to the DENCO Area 911 Board of Managers for a two-year term beginning October 1, 2024. Seconded by Council Member Garber.

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

15. Consider and act on an Ordinance of the City of Corinth approving and authorizing the execution of a Developer Participation Agreement with Wolverine Interests, LLC for the construction of certain public drainage improvements on approximately 4.542 acres, more specifically described as Agora Lot 1, Block B, in the J.P. Walton Survey, Abstract Number 1389, City of Corinth, Denton County, Texas; and providing an effective date.

Item was discussed in Executive Session. Motion was made when City Council reconvened into the Regular Session Meeting.

Motion made by Mayor Pro Tem Burke: I move to approve Ordinance No. 24-07-18-29 and authorize the City Manager to necessary documents. Seconded by Council Member Pickens.

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

16. Consider and act on Change Order 02, with Walter P. Moore, for the engineering of Walton Drive, in the amount \$47,060, for a total contract price of \$512,900 for engineering redesign of Walton Drive and authorize the City Manager to execute the necessary documents.

Motion made by Mayor Pro Tem Burke: I move to approve Change Order 2 for the engineering of Walton Drive in an amount not to exceed \$47,060 and authorize the City Manager to execute the necessary documents. Seconded by Council Member Pickens.

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

17. Consider and act on a Resolution of the City Council of the city of Corinth, Texas finding that a public necessity exists and authorizing condemnation to acquire a 6.48 acre drainage easement for municipal purposes to install a public project, including but not limited to, drainage, grading, such appurtenant facilities as may be necessary, and other public uses, on real property generally described as being located in the William C. Garrison survey, abstract no. 508, property id # 313491, City of Corinth, Denton County, Texas, such property is generally located west of Silver Meadow Lane and approximately 160 feet of Silver Meadow Lane and Sharon Drive intersection on the west side, and being more particularly described herein; providing notice of an official determination to acquire real property for a drainage easement, such appurtenant facilities as may be necessary, and other public uses; authorizing the city manager or designee to obtain the necessary appraisal reports and make bona fide offers of just compensation for the easement; ratifying prior documents made for acquisition of the easement; authorizing legal counsel to institute eminent domain proceedings on behalf of the city for the acquisition of the easement on said tract if negotiations are unsuccessful; appropriating funds from a lawful source; providing a cumulative repealer clause; providing a severability clause and providing for an effective date.

Item was discussed in Executive Session. Motion was made when City Council reconvened into the Regular Session Meeting.

Motion made by Mayor Pro Tem Burke: I move that the City of Corinth authorize the use of the power of eminent domain to acquire a 6.48 acre drainage easement on real property generally described as being located in the William C. Garrison, Abstract No. 508, Property ID #313491, Denton County, Texas, such Property is generally located west of Silver Meadow Lane and approximately 160 feet of Silver Meadow Lane and Sharon Drive intersection on the west side (as more fully described and depicted in Exhibit "A" of the proposed resolution for this item) for a public purpose and use to install and maintain public utilities, including but not limited to, the municipal purpose of drainage, grading, such appurtenant facilities as may be necessary, and other public uses, and adopt Resolution No. 24-07-18-04, with this record vote applying to the unit of property to be condemned. Seconded by Council Member Garber.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, 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.

Council Member Garber
Council Member Henderson
City Manager Campbell

Mayor Heidemann recessed the Regular Session Meeting at 7:02 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 government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflict with Chapter 551.

- a. Lynchburg Creek.
- b. Fairview Swim Club.

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. Wolverine Developer Participation Agreement.
- b. Realty Capital Management, LLC - Chapter 380 Agreement.

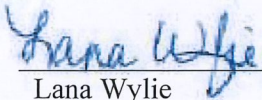
RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON EXECUTIVE SESSION ITEMS

Mayor Heidemann recessed the Executive Session Meeting at 8:11 P.M. and immediately reconvened into the Regular Session Meeting.

ADJOURN

Mayor Heidemann adjourned the meeting at 8:17 P.M.

Approved by the Council on the 8th day of August 2024.



Lana Wylie
City Secretary
City of Corinth, Texas