

### NOTICE OF A CITY COUNCIL REGULAR SESSION IMMEDIATELY FOLLOWING A WORKSHOP SESSION OF THE CITY OF CORINTH

Thursday, July 20, 2017, 5:30 P.M. CITY HALL - 3300 CORINTH PARKWAY

### **CALL TO ORDER:**

### 5:30 p.m. WORKSHOP BUSINESS AGENDA

- 1. Hold a discussion regarding North Central Texas College (NCTC) programs, projects and plans for the Corinth Campus.
- 2. 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.

### ADJOURN WORKSHOP SESSION

\*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:

7:00 p.m. CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE: "Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible".

### **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 June 1, 2017 Workshop Session.
- 2. Consider and act on minutes from the June 1, 2017 Regular Session.
- 3. Consider and act on the site plan for Discount Tire on property zoned C-2, Commercial and legally described as Swisher 35-E Addition, Lot 6R, Block A, having a physical address of 8051 I 35E in the City of Corinth, Denton County, Texas.

### 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.

### **PUBLIC HEARING**

4. **PUBLIC HEARING:** TO HEAR PUBLIC OPINION REGARDING A REQUEST BY THE APPLICANT KERRY ROUNTREE, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER, PINNELL SQUARE LP, FOR A SPECIFIC USE PERMIT (SUP) TO ALLOW AUTOMOBILE OR OTHER MOTORIZED VEHICLE SALES AND SERVICE IN SUITE 411 ON PROPERTY LEGALLY DESCRIBED AS 3,187 SF IN PINNELL SQUARE ADDITION LOT 1A, BLOCK A BEING 6.663 ACRES IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. THIS PROPERTY IS LOCATED AT 1400 NORTH CORINTH STREET.

**BUSINESS:** Consider and act on a an ordinance regarding a request by the applicant Kerry Rountree, authorized representative for the property owner, Pinnell Square LP, for a Specific Use Permit (SUP) to allow Automobile or Other Motorized Vehicle Sales and Service in Suite 411 on property legally described as 3,187 sf in Pinnell Square Addition Lot 1A, Block A being 6.663 acres in the City of Corinth, Denton County, Texas.

### **BUSINESS AGENDA**

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

### WORKSHOP BUSINESS AGENDA

- 6. Hold a discussion and provide staff direction on the upcoming Unified Development Code updates.
- 7. Receive a presentation, hold a discussion and provide direction on a proposed gateway sign along Swisher and I-35E.

### **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.

### **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.

<u>Section 551.071.</u> (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.

<u>Section 551.072.</u> 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.

### a. Lake Sharon Project - Right-of-Way Acquisition

<u>Section 551.074.</u> 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.

<u>Section 551.087.</u> 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:**

Posted this	14	_day of _	July, 2017 at 11:30 A,M, on the bulletin board at Corinth City Hall.

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

### WORKSHOP BUSINESS ITEM 1.

### City Council Regular and Workshop Session

**Meeting Date:** 07/20/2017

Title: North Central Texas College (NCTC) Presentation

**Submitted For:** Bob Hart, City Manager **Submitted By:** Kim Pence, City Secretary

City Manager Review: Approval: Bob Hart, City Manager

### **AGENDA ITEM**

Hold a discussion regarding North Central Texas College (NCTC) programs, projects and plans for the Corinth Campus.

### AGENDA ITEM SUMMARY/BACKGROUND

Dr. Rusty Wallace, President of North Central Texas College has been invited to share future plans and direction for the Corinth Campus.

### RECOMMENDATION

N/A

### **CONSENT ITEM** 1.

City Council Regular and Workshop Session

**Meeting Date:** 07/20/2017

**Title:** June 1, 2017 Workshop Session

**Submitted For:** Kim Pence, City Secretary **Submitted By:** Kim Pence, City Secretary

City Manager Review: Approval: Bob Hart, City Manager

### **AGENDA ITEM**

Consider and act on minutes from the June 1, 2017 Workshop Session.

### AGENDA ITEM SUMMARY/BACKGROUND

Attached are minutes from the June 1, 2017 Workshop Session. The minutes are in drat form and not considered official until formally approved by the City Council.

### RECOMMENDATION

Minutes

Staff recommends approval of the June 1, 2017 Workshop Session Minutes.

# Attachments

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

On this the 1<sup>st</sup> day of June 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:**

Bill Heidemann, Mayor Joe Harrison, Council Member Sam Burke, Council Member Don Glockel, Council Member Scott Garber, Council Member Lowell Johnson, Council Member

### **Staff Members Present:**

Bob Hart, City Manager Mike Brownlee, City Engineer Cody Collier, Director, Public Works Shea Rodgers, Manager, Technology Services Fred Gibbs, Director, Planning Kim Pence, City Secretary Mack Reinwand, City Attorney

### **CALL TO ORDER:**

Mayor Heidemann called the meeting to order at 5:30 P.M.

### WORKSHOP BUSINESS AGENDA ITEM:

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

1. Consider and act on approval of the "Agreement for Construction, Maintenance and Operation of Safety Lighting Systems Within Municipalities (State Maintains and Contracts for Power)" Blanket Agreement.

**Bob Hart, City Manager** - This is for TXDOT to put street lights by the exits and entrances. TXDOT must has to have an agreement with the City to be able to put these up and maintain them.

### **BUSINESS AGENDA**

2. Consider appointing a Representative to the North Central Texas Council of Governments (NCTCOG).

**Bob Hart, City Manager** - The City of Corinth is a member of the Council of Governments. Cities routinely appoint a City's Mayor or Councilmember to be the official liaison to the Council of Governments. This individual receives official documents at the general assembly meetings. The annual meeting forum is scheduled for June 16<sup>th</sup>. We don't have anyone identified as a representative.

It was the consensus of the Council for Mayor Bill Heidemann to be the official liaison for the Council of Governments representing the City of Corinth.

3. Consider and act on an Ordinance adopting Article VII, Right-of-Way Management, to Chapter 95, Streets and Sidewalks, of the City Code of Ordinances and amending the Master Fee Schedule.

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**Bob Hart, City Manager** - Item three and four go together. This is the ordinance that we discussed at the workshop at the last meeting. Mack has been working on that and Mike is here and they can answer any questions that you may have. We will have to allocate the space within the rights-of-way and discuss the wireless notes.

**Mack Reinwand, City Attorney** - The House Bill that we talked about last time ended up being adopted by the Senate. It will be implemented. It is not effective until September 1<sup>st</sup>. We do have some time to look at this and make sure that we have a procedure in place.

**Mayor Heidemann** - Is our main purpose for doing this that we want to get something in our ordinance so that we have a point of reference?

**Mack Reinwand, City Attorney** - I don't think it's the main purpose. The city does need a right-of-way ordinance. It's something that is probably long overdue to have some authority to regulate how things are done on the right-of-way as far as permitting. This will give us some enforcement mechanisms to make sure that everyone is compliant.

4. Consider and act on the adoption of the Wireless Services (Small Cells) Design Manual.

**Mack Reinwand, City Attorney** - This is the new Bill that was approved by the Texas Legislature just this past week. This is going to open up city right-of-ways to what they call "small wireless type of facilities" being put on poles within the city. On utility poles, light poles, traffic poles and other types of signs. The State Legislature did give us some authority to regulate this.

Mayor Heidemann - Can they go into our parks and add items to the poles in there?

**Mack Reinwand, City Attorney** - No. The Bill that finally got adopted didn't change anything in city parks. There are also some exemptions for small right-of-ways, which are basically streets that are less than 50 feet adjacent to residential areas. It can also prohibit them from coming in next to houses and multi-family apartments. There is some authority to protect our parks and our residential areas.

Councilmember Glockel - Wouldn't we want wireless available in the parks?

**Mike Brownlee, City Engineer** - I think in general we and the citizens of Corinth do want wireless to be available in the parks. We want this to be available and accessible. We just don't want it to look bad.

Councilmember Burke - Is this cell service or is it something different?

**Mack Reinwand, City Attorney** - It's something different. It's a wireless type service which they can then move on to the back that will run down the internet. It's more of a wireless service that has to be much closer to the user like a Wi-Fi signal or hot spot.

**Councilmember Burke** - So this could be the solution to Corinth's internet issues.

**Mack Reinwand, City Attorney** - That is how it has been promoted. This is the groundwork for the 5G, the next version that comes out that has higher speeds.

**Bob Hart, City Manager** - For Oncor to put the poles in, they have to get permission from us to put it in the right-of-way. We tell them where to put it and set the standards for them. Then all we are saying is if you want to attach additional items in the right-of-way, then you have to come to us to get a permit.

**Councilmember Garber** - My understanding is that this provides us the most authority according to state law. Maybe it is a good idea to maintain as much authority as we can and if we feel like we need to face it later, we can do that later.

**Councilmember Johnson** - We'll start receiving pressure from residents at some point in time regarding wireless services once that starts to be an issue.

**Mack Reinwand, City Attorney** - It will be a balance between the service and the aesthetics. This gives a lot of authority to these companies to come in to your city and put poles up and put nodes on poles.

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**Mayor Heidemann** - It is in your best interest to pass the strongest measures that you can and then deal with the other issues as they arise.

**Councilmember Johnson** - Is this going to control, prevent or regulate any of these companies from joining up with another company, e.g., AT&T wants to joins up with ATMOS and run along ATMOS's right-of-way?

Mack Reinwand, City Attorney - This only relates to the City's right-of-way.

**Bob Hart, City Manager** - My guess is you would be dealing not with right-of-way, but with easements and that is not going to be a grand of right on an easement document.

**Councilmember Johnson** - It is going to be interesting to see how this plays out also with the powerline right-of-ways or easements. I think the legislature dove into something they probably had some unintended consequences they didn't follow up on.

5. Consider and act on a Professional Services Agreement with Level 3 for the replacement of sewer line near the southwest corner of the intersection of Lake Sharon Drive and Interstate 35.

**Mack Reinwand, City Attorney** - This is an agreement related to some damage that was done to the city sewer line and some fiber that was run through it almost 15 years ago. We working through an agreement now to get it fixed and we'll talk about it more in Executive Session.

Mayor Heidemann recessed into Closed Session at 6:06 P.M.

### **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.

<u>Section 551.071</u>. (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.

a. Planned Development conditions and Land Use.

### Council Met In Executive Session From 6:10 P.M. until 6:55 P.M.

<u>Section 551.072</u>. 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.

- a. Lake Sharon Project Right-of-Way acquisitions.
- b. Hold a discussion and receive direction regarding easement acquisition for a development project located in the general vicinity of Tower Ridge, Lake Sharon, and IH-35E.

### Council Met In Executive Session From 6:10 P.M. until 6:55 P.M.

<u>Section 551.074</u>. 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. Consider evaluation of City Manager.

### Council Met In Executive Session From 6:10 P.M. until 6:55 P.M.

<u>Section 551.087</u>. 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.

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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.

### There were no actions necessary on Closed Session items.

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Mayor Heidemann adjourned the meeting	g at 6:55 P.M.
Meeting adjourned.	
Approved by Council On day of	, 2017.
Kimberly Pence, City Secretary City of Corinth, Texas	_

ADJOURN.

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### **CONSENT ITEM 2.**

### City Council Regular and Workshop Session

**Meeting Date:** 07/20/2017

Title: June 1, 2017 Regular Session

**Submitted For:** Kim Pence, City Secretary **Submitted By:** Kim Pence, City Secretary

City Manager Review: Approval: Bob Hart, City Manager

### **AGENDA ITEM**

Consider and act on minutes from the June 1, 2017 Regular Session.

### AGENDA ITEM SUMMARY/BACKGROUND

Attached are minutes from the June 1, 2017 Regular Session. The minutes are in draft form and not considered official until formally approved by the City Council.

### RECOMMENDATION

Minutes

Staff recommends approval of the June 1, 2017 Regular Session Minutes.

# Attachments

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

On this the 1<sup>st</sup> day of June 2017 the City Council of the City of Corinth, Texas met in a Regular Session at the Corinth City Hall at 7:00 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:**

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

### **Staff Members Present:**

Bob Hart, City Manager
Fred Gibbs, Planning and Development Director
Cody Collier, Public Works Director
Kim Pence, City Secretary
Shea Rodgers, Technology Services Manager
Mike Brownlee, City Engineer
Mack Reinwand, City Attorney

## CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE AND TEXAS PLEDGE: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible".

Mayor Heidemann called the meeting to order at 7:00 p.m., Councilmember Garber delivered the invocation and led in the Pledge of Allegiance and the Texas Pledge.

### **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.

Consider and act on approval of the "Agreement for Construction, Maintenance and Operation of Safety Lighting Systems Within Municipalities (State Maintains and Contracts for Power)" Blanket Agreement.

<u>MOTION</u> made by Councilmember Johnson to approve the Consent Agenda as presented. Seconded by Councilmember Garber.

**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.

No Citizen Comments were made.

### **BUSINESS AGENDA**

2. Consider appointing a Representative to the North Central Texas Council of Governments (NCTCOG).

**Bob Hart, City Manager** - the City is a member of the North Central Texas Council of Governments (NCTCOG) and with that organization they always ask to appoint one of the members of the governing body to be the official representative to the organization. This has been placed on the agenda so you can make that appointment for the upcoming year.

<u>MOTION</u> made by Councilmember Burke to appoint Mayor Heidemann as our representative to the North Central Texas Council of Government (NCTCOG). Seconded by Councilmember Johnson.

**AYES:** Burke, Garber, Johnson, Harrison, Glockel

NOES: None ABSENT: None

### **MOTION CARRIED**

3. Consider and act on an Ordinance adopting Article VII, Right-of-Way Management, to Chapter 95, Streets and Sidewalks, of the City Code of Ordinances and amending the Master Fee Schedule.

**Bob Hart, City Manager -** this is an Ordinance that will provide for the regulation of the utilities within the public Right-of-way. We have discussed the perimeters in a previous workshop and we are bringing this recommended ordinance based upon that discussion.

**MOTION** made by Councilmember Burke to adopt the Ordinance as presented with the following exceptions; Section 95-247(b)(4); remove the Sherman and Denison language, Section 95-258; Delete last sentence of that section and replace with "the activity complies with Section 95-253", and Section 95-260(11); the word "for" will be removed and replaced with "unless the user". Seconded by Councilmember Glockel.

**AYES:** Burke, Garber, Johnson, Harrison, Glockel

NOES: None ABSENT: None

### **MOTION CARRIED**

4. Consider and act on the adoption of the Wireless Services (Small Cells) Design Manual.

**Bob Hart, City Manager** - this is the design manual that would regulate the small cells that are within the Right-of-way in the commercial area of the public Right-of-way. This is the design manual that is referenced in the Ordinance and we are asking that you look at this as a separate

document but it is part of the Ordinance that regulates the public Right-of-way.

<u>MOTION</u> made by Councilmember Garber to approve the Wireless Services Design Manual. Seconded by Councilmember Harrison.

**AYES:** Burke, Garber, Johnson, Harrison, Glockel

NOES: None ABSENT: None

### **MOTION CARRIED**

5. Consider and act on a Professional Services Agreement with Level 3 for the replacement of sewer line near the southwest corner of the intersection of Lake Sharon Drive and Interstate 35.

**Bob Hart, City Manager -** this is a settlement agreement for the replacement of the sewer line along Interstate 35. This provides for the relocation of the line and settlement for the damages there. Our intention is to reconstruct that line and continue to serve the property owners and the initial user would be the relocation of Huffines.

**MOTION** made by Councilmember Burke to authorize the City Manager to execute and approve the agreement as presented. Seconded by Councilmember Harrison.

**AYES:** Burke, Garber, Johnson, Harrison, Glockel

NOES: None ABSENT: None

### **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 Johnson -** the Police Pursuit 5K was postponed due to what was going to be pending bad weather but it turned out to be a nice day and we probably could have run the race. The race has been moved to July 15, 2017 at 8:00 a.m.

**Mayor Heidemann** - the 4<sup>th</sup> of July Parade is coming up and they are asking how many Council want to be in that parade so if you can get with Bob or Kim and let them know so we can get the necessary vehicles to drive in that parade.

Mayor Heidemann recessed the Regular meeting at 7:15 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.:

<u>Section 551.071.</u> (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.

### a. Planned Development conditions and Land Use.

<u>Section 551.072.</u> 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.

- a. Lake Sharon Project Right-of-Way acquisitions.
- b. Hold a discussion and receive direction regarding easement acquisition for a development project located in the general vicinity of Tower Ridge, Lake Sharon, and IH-35E.

<u>Section 551.074.</u> 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.

Council met in Closed Session from 7:16 p.m. until 8:50 p.m.

a. Consider evaluation of City Manager.

<u>Section 551.087.</u> 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.

There was no action taken from Closed Session.

Mayor Heidemann reconvened the Regular Session at 8:52 p.m.

# ADJOURN: Mayor Heidemann adjourned the meeting at 8:53 p.m. AYES: All Meeting adjourned. Approved by Council on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_2017. Kimberly Pence, City Secretary

City of Corinth, Texas

### CONSENT ITEM 3.

### City Council Regular and Workshop Session

**Meeting Date:** 07/20/2017

**Title:** Discount Tire Site Plan Approval

**Submitted For:** Fred Gibbs, Director

**Submitted By:** Barbara Cubbage, Planning & Development Manager

City Manager Review: Approval: Bob Hart, City Manager

### AGENDA ITEM

Consider and act on the site plan for Discount Tire on property zoned C-2, Commercial and legally described as Swisher 35-E Addition, Lot 6R, Block A, having a physical address of 8051 I 35E in the City of Corinth, Denton County, Texas.

### AGENDA ITEM SUMMARY/BACKGROUND

### APPROVAL PROCESS

The Planning and Zoning Commission will make a recommendation to City Council. City Council will take final action.

### **PUBLIC NOTIFICATION**

Legal notification is not required for site plan consideration. Consideration is held in open meetings before both the Planning and Zoning Commission and final approval through City Council.

### **AGENDA ITEM DESCRIPTION**

Discount Tire has made a application for a site plan on Lot 6R, which is located in front of the Comfort Inn along I-35E. An approved site plan is required prior to construction for all new commercial projects. The applicant has provided the necessary plans and meets all of the requirements in the UDC.

### **ZONING**

Zoning on this site is C-2, Commercial.

### COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION

The Comprehensive Plan Future Land Use Map designates this area as Commercial.

### FINANCIAL SUMMARY

Source of Funding: No funding is required.

### RECOMMENDATION

### PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission unanimously recommended approval of the Discount Tire Site Plan which was placed on the Consent Agenda.

Staff recommends approval of the Discount Tire site plan as presented. Discount Tire has met all of the City of Corinth required Development Regulations while providing additional site enhancements for landscape and exterior

### **Attachments**

Discount Tire Location Map

Zoning Map

Lot 6R Discount Tire Plat

Site Plan SP1

Site Plan C1

Site Plan L1.1 Landscape

Site Plan L1.2 Landscape

Site Plan A4 Elevations

Site Plan A4 Color Elevations

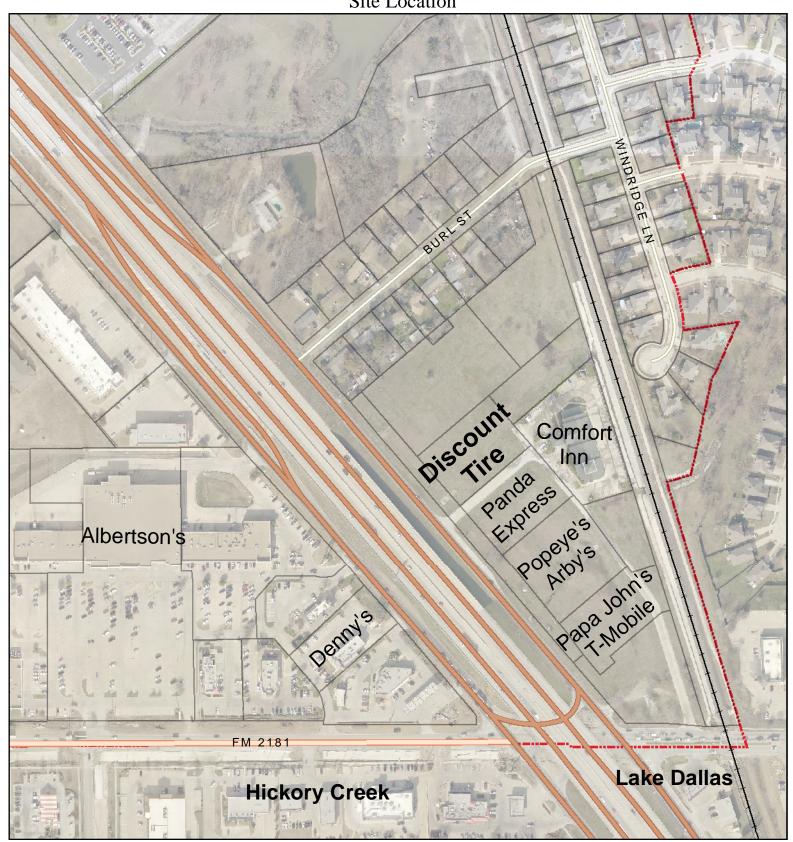
Site Plan E@1.0 Photometrics Plan



# CITY OF CORINTH

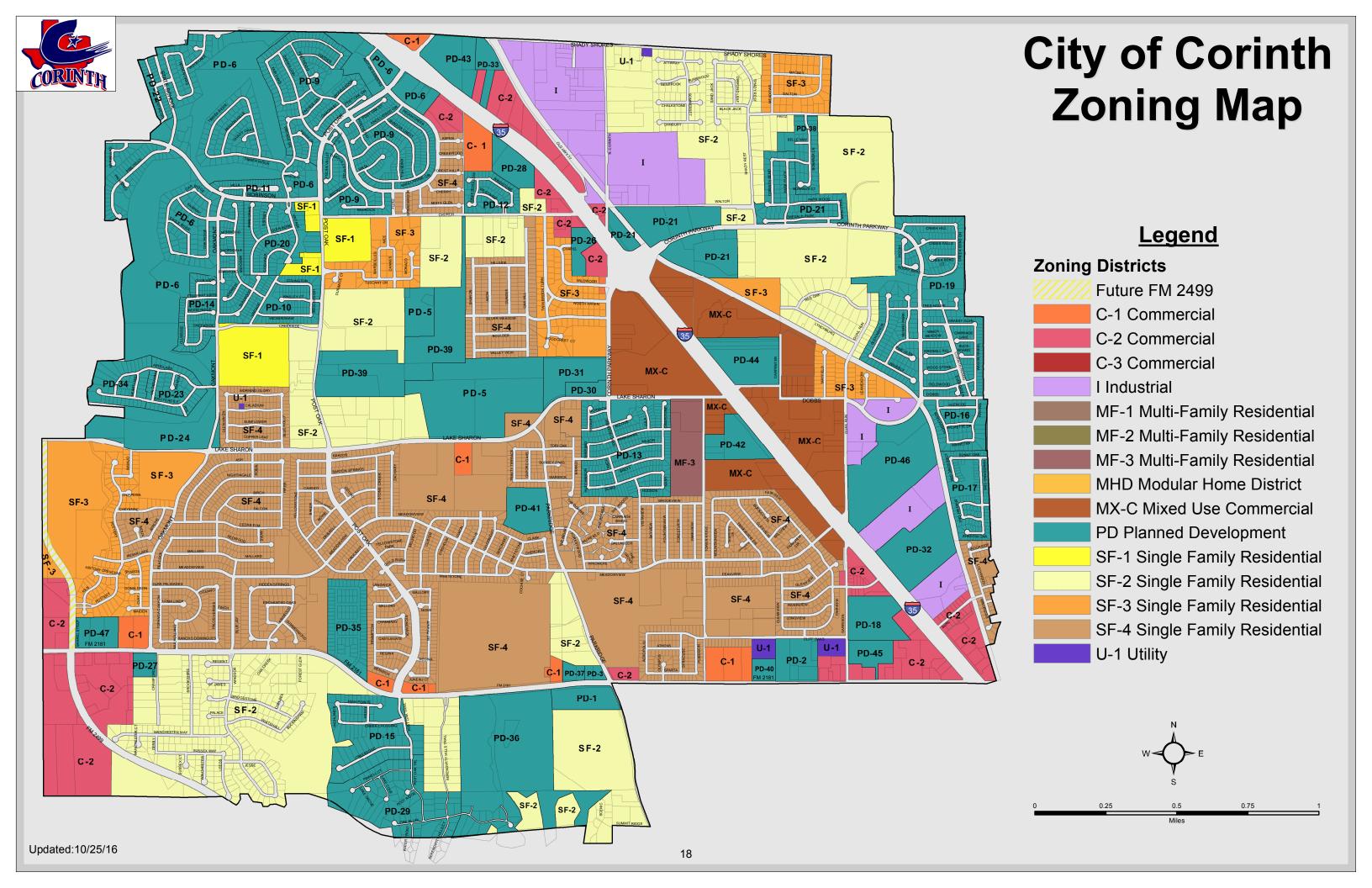
# **DISCOUNT TIRE**

Site Location

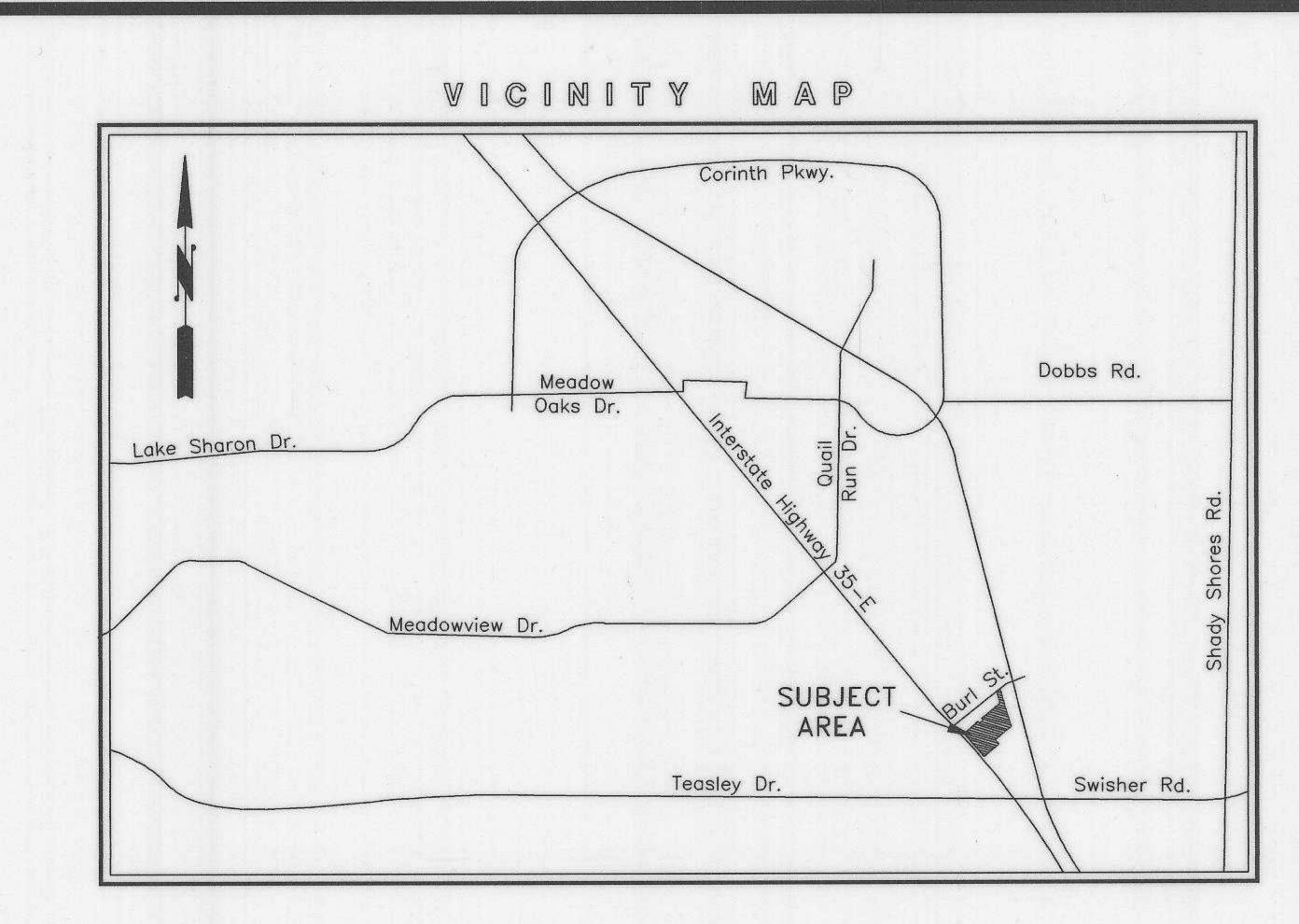












CURVE TABLE

# FINAL REPLAT

SWISHER 35-E ADDITION LOTS X-2R, 6R, 7R & 8R, BLOCK A 222,482 SF, 5.108 ACRES

SITUATED IN THE H.H. SWISHER SURVEY, ABSTRACT No. 1220 CITY OF CORINTH DENTON COUNTY, TEXAS

BOUNDARY LINE NEW LOT BOUNDARY LINE ADJOINER PROPERTY LINE 

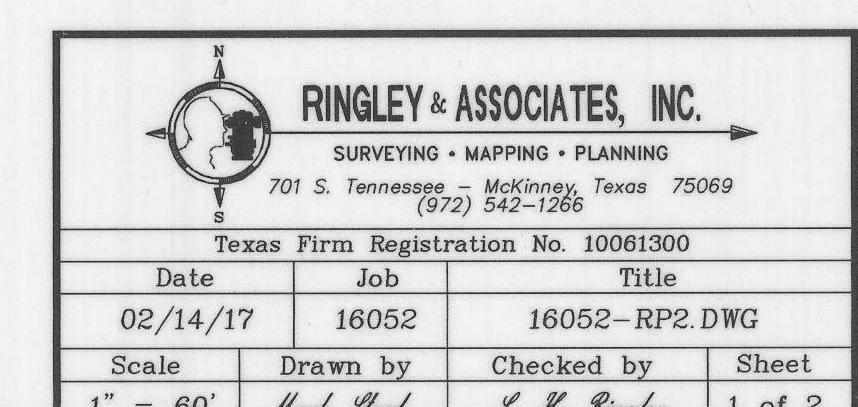
EASEMENT LINE

CM = Controlling Monument

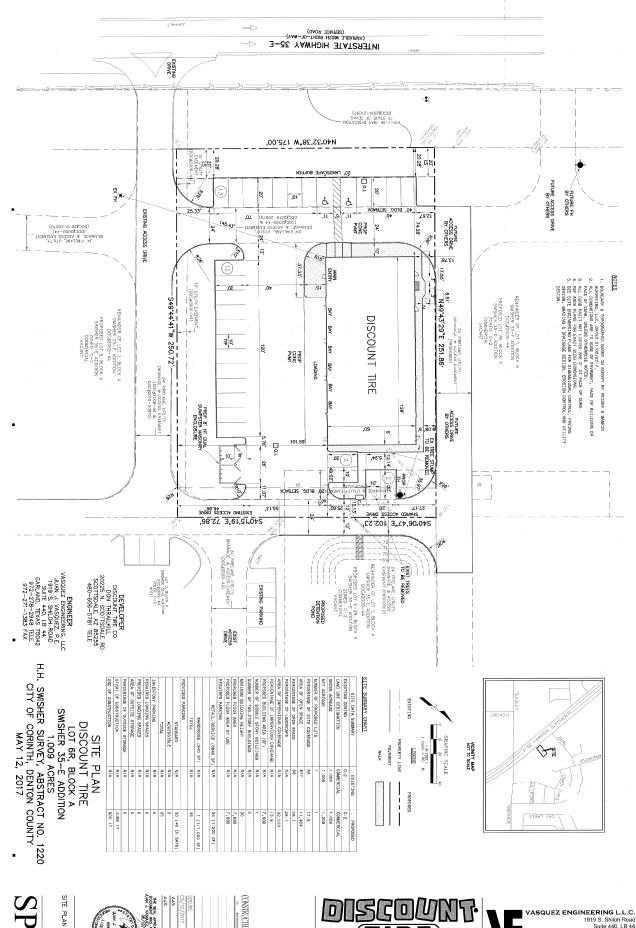
CROSS ENGINEERING CONSULTANTS, INC. 131 S. Tennessee Street McKinney, Texas 972-562-4409 JHake@crossengineering.biz

# OWNER LOTS X-2R, 6R, 7R & 8R SWISHER @ I-35 CORINTH, LP 10210 N. Central Expressway Suite 300 Dallas, Texas 75231 972-385-4136

SURVEYOR RINGLEY & ASSOCIATES 701 S. Tennessee Street McKinney, Texas 972-542-1266 lhr@ringley.com



Filed for Record
in the Official Records Of:
Denton County
On: 5/19/2017 9:36:36 AM
In the PLAT Records
SWISHER 35—E ADDN
Doc Number: 2017—231
Number of Pages: 2
Amount: 100.00
Order#:20170519000138
By: TD

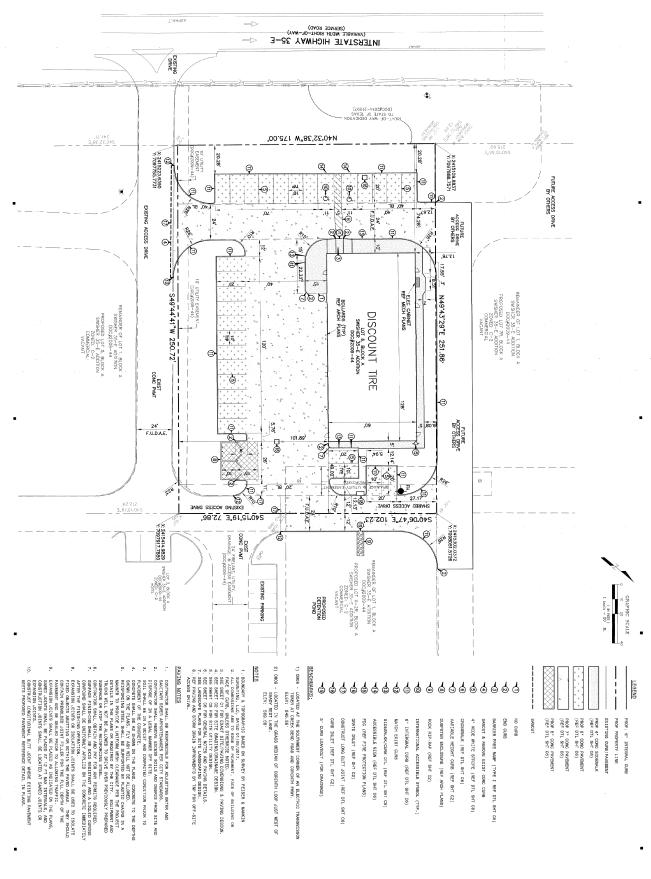








VASQUEZ ENGINEERING L.L.C. 1919 S. Shiloh Road Suite 440, LB 44 Garland, Texas 75042 Ph: 972-278-2948 TX Registration # F-12266



DIMENSIONAL CONTROL & PAVING PLAN









VASQUEZ ENGINEERING L.L.C. 1919 S. Shiloh Road Suite 440, LB 44 Garland, Texas 75042 Ph: 972-278-2948 TX Registration # F-12266

TREE SURVEY/
PRESERVATION PLAN

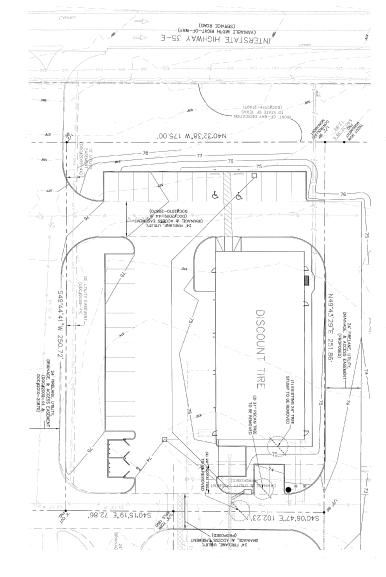
CONSTRUCTION DOCUMENT

ISCOUNT. (TIRE) CORINTH, TEXAS 22

VASQUEZ ENGINEERING L.L.C.
1919 S. Shiloh Road
Suite 440, LB 44
Garland, Texas 75042
Pr: 972-278-2948
TX Registration # F-12266

ENGINEER (LC JUNA L PROJECT P. LC JUNA L PROJECT P. E. 1919 S. 910 H 6040 SUIT 440, LB 44 GARLAND, TRAS 75042 972—276—2948 TEL 972—276—2948 TEL 972—271—1383 FAX DEVELOPER
DISCOUNT TIRE CD.
DON THRAILKILL
20225 N. SCOTTSDALE AZ 85255
480-606-5781 TELE DISCOUNT TIRE
LOT 6R, BLOCK A
SWISHER 35—E ADDITION
1.009 ACRES
H.H. SWISHER SURVEY, ABSTRACT NO. 1220
CITY OF CORINTH, DENTON COUNTY
APRIL 20, 2017 TREE SURVEY / PRESERVATION PLAN

( B) THEE TO REMAIN TREE PRESERVATION I TREE TO BE REMOVED



GRAPHIC SCALE

o 20 40 FEET

Scale 1"=20" - 0"

S49\*44'41"W 250.72' 24' FIRELANE, UTILITY,
DRAINAGE, & ACCESS EASEMENT
(DOC#2008-44 &
DOC#2010-20870) Gas 7 AFTER APPLICATION, NO EQUIPMENT SHALL OPERATE OVER APPLIED AREAS, WATER SEEDED AREAS IMMEDIATELY AFTER INSTALLATION TO SATURATION. ALL LAWN AREAS TO BE HYDROMULCHED SHALL ACHIEVE 100% COVERAGE PRIOR TO FINAL ACCEPTANCE. IF HRYALLATION OCCURS BETWEEN COTOSER 1ST AND APRIL 1ST, ALL HYDORALLICH AREAS SHALL BE OVER SEIDED WITH ARRULL PR'E GRASS AT A RATE OF TOUR YOUNGE PER ONE THOUSAND OLUME FEEL OF COMPACTION OF THE ARROHMMENT OF THE AREAS OF THE ONE OF THE ARROHMMENT OF THE ARROHMM

Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. Trees shall have a strong central leader and be of metching specimens. All plant material shall meet or exceed remarks as indicated. SY R R BH SHADE TREES
SHADE TREES
Fruitless Chinese P
Lacebark Elm
Shumard Cak SHRUBS
Dwarf Burtord Holly
Nellie R Stevens Holly
Red Yucca
Softeet Yucca
Softeet Green Cloud GROUNDCOVERIVINES/GRASS
Butfalograss
Butfalograss Nex comuta 'Burford Nena' Max x Wellie R. Stevens' Hesperakoe parvifolia Yucoa recurvifolia Leurophyllum frutescens 'Gr Pistachia chinensis 'Ketih Devey'
Ulmus panvilotia 'Sempendrens'
Quercus shumardii 3 CB 3 CB full, 20" spread, 38" o.c. full, 40" o.c. full, 24" sprd, 30" o.c. full, 30" o.c. full, 24" sprd, 38" o.c. 12 ht. 4 spread 12 ht. 4 spread 12 ht. 4 spread

shall be planted for every 15 parking

1,647 s.t. 2 trees, 3" cal.

Scale 1"=20" - 0"

ENGINEER
VASQUEZ ENGINEERING, LLC
JUAN J. VASQUEZ, P.E.
1919 S. SHILCH ROAD
SUITE 140, LB 44
SUITE 140, LB 44
GARLAND, TEXAS 75042
972–278–2848 TELE
972–271–1383 FAX

1.009 ACRES
H.H. SWISHER SURVEY, ABSTRACT NO. 1220
CITY OF CORINTH, DENTON COUNTY
APRIL 20, 2017

LANDSCAPE PLAN
DISCOUNT TIRE
LOT 6R, BLOCK A
SWISHER 35—E ADDITION

GRAPHIC SCALE

DEVELOPER
DISCOUNT TIRE CO.
DON THRAILKILL
20225 N. SCOTTSDALE RD
SCOTTSDALE, AZ 85255
480-606-5781 TELE

THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE ESTABLISHMENT, AND PERFORMANCE OF PLANT MATERIALS. AN IRRIGATION SYSTEM WILL BE DESIGNED, INSTALLED AND FUN PRIOR TO THE APPROVAL OF THE CERTIFICATE OF COCUPANCY.

CONSTRUCTION DOCUMENT

30

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FOR MECONATE MALCON.

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REES SHALL BE PLANTED AT A MINIMUM OF 5' FROM AMY UTILITY LINE, IDEWALK OR CURB. TREES SHALL ALSO BE 10' CLEVR FROM FIRE HYDRANTS

NATERSTATE HICHWAY 35-E (SERNICE ROAD)

-849

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TTED TOPSOIL HIGH IN HUMAS AND ORDANIC CONTENT FROM A SUPPLY, IMPORTED TOPSOIL SHALL BE REASONABLY FREE OF LIMPS, COARSE SANDS, STONES, ROOTS AND OTHER FOREIGN

18 St. 12 St. 12 St. 12

3

240,12,18,,E \\ \S 86

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NLL IANDSCAPE AREAS SHOULD SE CLEANED AND KEPT FREE OF TRASH DEBRIS, WEEDS AND OTHER MATERIAL.

300000 AP 100000 CAP. 10000

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15

DECOMPOSED GRANITE OVER WEED BARRIER FABRIC, TYP.

<sup>75</sup> 86

240.09,41,E 105.23,

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CLITVAYING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KIED!
\*\*SANTS IN A VIGCIBOLS, HEALTHY CONDITION. SOD SHALL BE REPLACED IF
\*\*WECHSSARY.\*\*

PSOIL SHALL BE FRABLE, NATURAL LOAM, FREE OF ROOKS, WEEDS, USH, CLAY LUMPS, ROOTS, TWIGS, LITTER AND ENVIRONMENTAL NITARINANTS.

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DISCOUNT TIRE

149'43'29"E 251.86' 900

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SITE.

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CONTRACTOR TO URBEY AND LOCATE ALL PROPOSED AND EXSTING STRUCTURES, NOTEY LANDSCAPE ARCHITECT OR DESIGNATED REPRISENTATING FOR ANY LANDOLD DESCREAMINGS OR ANY CONDITION THAT AND LID PROHIST THE INSTALLATION AS SHOWN.

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24' FIRELANE, UTILITY,
DRAINAGE, & ACCESS EASEMENT(PROPOSED)

VASQUEZ ENGINEERING L.L.C. 1919 S. Shiloh Road Suite 440, LB 44 Garland, Texas 75042 Ph: 972-278-2948 TX Registration # F-12266

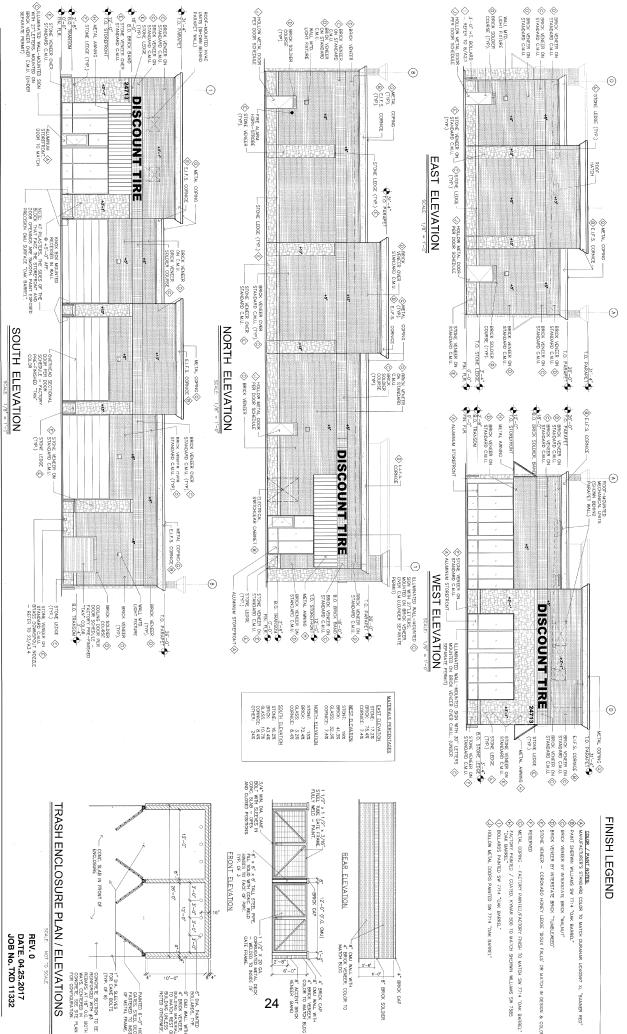
LANDSCAPE PLAN

ASSO

23

RIVER ROOK SHALL BE 2.4°; COLOR TO BE GELECTED BY OWNER RIVER ROCK SHALL BE COMPACTED TO A MINIMUM OF 3' DEPTH OVER FILTER FARRIC. MISCELLANEOUS MATERIALS: 8TEEL EDGING SHALL BE 3/16" X 4 X 16' DARK GREEN DURA LANDSONDE EDGING.

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12"-0" (F.O. CMU) -BRICK CAP

4" BRICK CAP
B" CMU WALL WITH
4" BRICK VENEER.
COLOR TO MATCH BLDG

8" ACCENT BRICK VENEER BAND

24

"B" CMU WALL WITH
4" BRICK VENEER. COLOR TO
MATCH BLDG

2-8 8\* BRICK SOLDIER

4" BRICK CAP

UC40597 XL "BANNER RED"

3'-0" 3'-0" 3'-0" 3'-0"

—6" DIA. PANTED BOLLARDS, TYP.

8" CMU WALL WITH

4" BRICK VENEER, BULDING MATERIALS
TO MATCH REST OF BULDING UNLESS
NOTED OTHERWISE.

— 1 1/2" X 20 GA.

CORRUGATED METAL DECK

- WELDED TO INSIDE OF
GATE FRAME.



# CONCEPTUAL ELEVATIONS

CORINTH, TX



99 e. virginia ave, ste 120 phoentx, az 85004 602-307-5399 | v www.arr.ream.com

REV. 0

CONCRETE SECTION TO BE REINFORCED WITH #3
REBARS AT 18" O.C. BOTH WAYS, CENTERED IN CONCRETE. SEE SITE PLAN FOR CONFIGURATION.

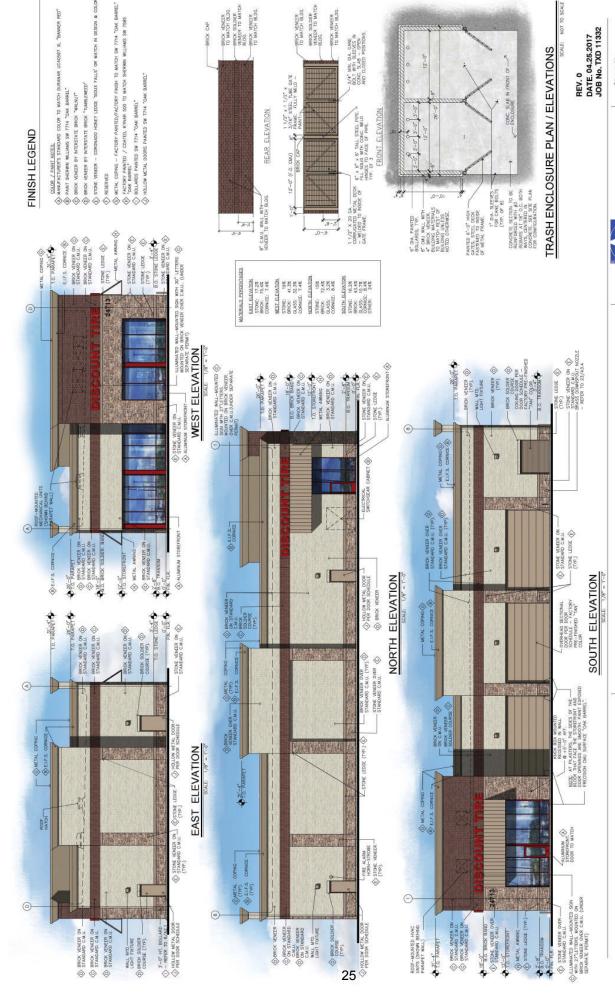
FOR CANE BOLTS
(TYP. OF 8)

PAINTED 6'-0" HIGH GATES, STEEL DECK FASTENED TO INSIDE OF METAL FRAME.

DATE. 04.25.2017 JOB No. TXD 11332

Sheet No.

\$



# CONCEPTUAL ELEVATIONS

DISCOUNT

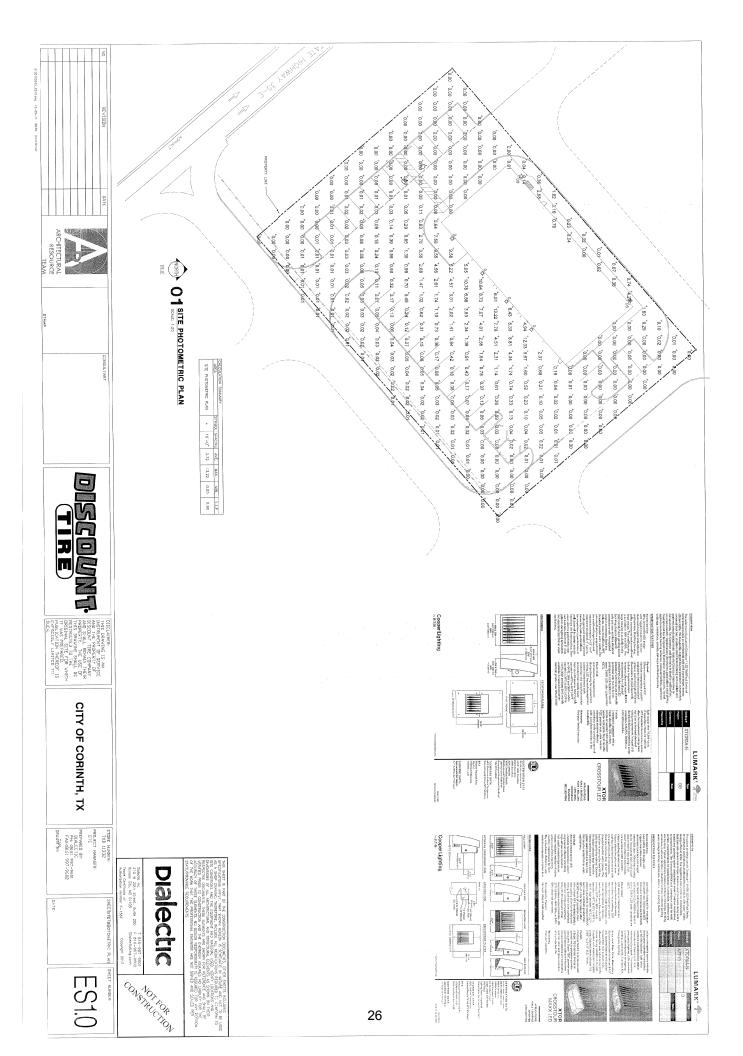
TIRE





Sheet No.

CORINTH, TX



### PUBLIC HEARING 4.

City Council Regular and Workshop Session

**Meeting Date:** 07/20/2017

**Title:** Motorcycle SUP Pinnell Sq

**Submitted For:** Fred Gibbs, Director

**Submitted By:** Barbara Cubbage, Planning & Development Manager

City Manager Review: Approval: Bob Hart, City Manager

### AGENDA ITEM

**PUBLIC HEARING:** TO HEAR PUBLIC OPINION REGARDING A REQUEST BY THE APPLICANT KERRY ROUNTREE, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER, PINNELL SQUARE LP, FOR A SPECIFIC USE PERMIT (SUP) TO ALLOW AUTOMOBILE OR OTHER MOTORIZED VEHICLE SALES AND SERVICE IN SUITE 411 ON PROPERTY LEGALLY DESCRIBED AS 3,187 SF IN PINNELL SQUARE ADDITION LOT 1A, BLOCK A BEING 6.663 ACRES IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. THIS PROPERTY IS LOCATED AT 1400 NORTH CORINTH STREET.

**BUSINESS:** Consider and act on a an ordinance regarding a request by the applicant Kerry Rountree, authorized representative for the property owner, Pinnell Square LP, for a Specific Use Permit (SUP) to allow Automobile or Other Motorized Vehicle Sales and Service in Suite 411 on property legally described as 3,187 sf in Pinnell Square Addition Lot 1A, Block A being 6.663 acres in the City of Corinth, Denton County, Texas.

### AGENDA ITEM SUMMARY/BACKGROUND APPROVAL PROCESS

After a public hearing is held; the Planning and Zoning Commission will make a recommendation regarding the Specific Use Permit (SUP) request and ordinance to be presented to City Council. City Council, after holding a public hearing, will consider and act on the SUP request and the associated ordinance to allow Automobile or Other Motorized Vehicle Sales and Service - limited to motorcycle sales and service at the above referenced location.

### **PUBLIC NOTIFICATION**

Required public notification was by sign placement at the request location and letters sent to property owners within 200' (fourteen letters total) prior to the Planning and Zoning Commission meeting. In addition, notice was posted in the Denton Record Chronicle prior to the City Council meeting.

### AGENDA ITEM DESCRIPTION

The final plat for Pinnell Square was approved in February 2001. The property at that time, was zoned LI-2 (Light Industrial-2). However, in 2013 as a part of the adoption of the Unified Development Code, this zoning district was restructured and became "I, Industrial".

Mr. Rountree has submitted an application with a request for approval of a Specific Use Permit to allow Motorcycle Sales and Service. The Unified Development Code requires approval of a Specific Use Permit (SUP) for "Automobile and Other Motor Vehicle Sales and Service" in the I, Industrial Zoning District. The applicant, has submitted a letter of intent in his SUP application packet which states his proposed business will provide motorcycle maintenance, addition or modification of aftermarket parts, repairs, overhauls and coordination with other skilled motorcycle customization businesses.

The City's Fire, Planning, Engineering and Building representatives have reviewed the layout and other documents required with the applications packet and the applicant has responded to questions regarding storage and disposal of

any flammable material as well as restrictions on releasing into the City's waste water system. If approval is granted the next step will be review and approval of the building plans for the interior finish out of the suite.

The ordinance specifically limits the applicant to conducting all business related to the motorcycle sales and service to the inside of the building, limiting the request to motorcycle sales and service only and there will be a maximum of five gallons of gasoline on the premises.

Of the fourteen letters sent to property owners within 200' one response was received at the Planning and Zoning Commission concerned about loud motorcycles.

### **ZONING**

Zoning on this site is I, Industrial.

### COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION

The Comprehensive Plan Future Land Use Map designates this area as Commercial.

### FINANCIAL SUMMARY

Source of Funding: No funding is required.

# RECOMMENDATION STAFF RECOMMENDATION

Staff recommends approval of the Specific Use Permit ordinance to allow Motorcycle Sales and Service in the Pinnell Square Addition, Lot 1A, Block A limited to 3,187 SF of Suite 411.

### PLANNING AND ZONING COMMISSION RECOMMENDATION

At its regular session meeting on June 26, 2017; the Planning and Zoning Commission unanimously (4-0) recommended approval of the Specific Use Permit ordinance to allow Motorcycle Sales and Service in the Pinnell Square Addition, Lot 1A, Block A limited to 3,187 SF of Suite 411.

### **Attachments**

Location Aerial Zoning Aerial Suite Layout SUP Motorcycle Sales/Svc



# CITY OF CORINTH

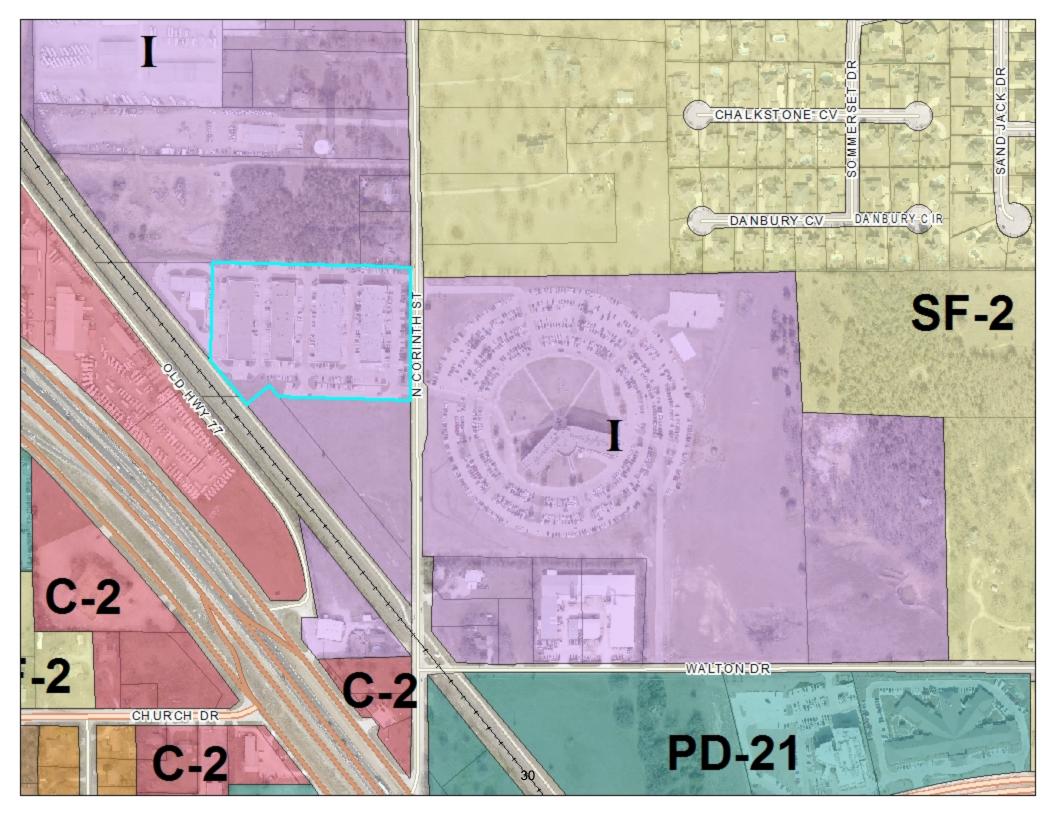
### MOTORCYCLE SALES / SVC

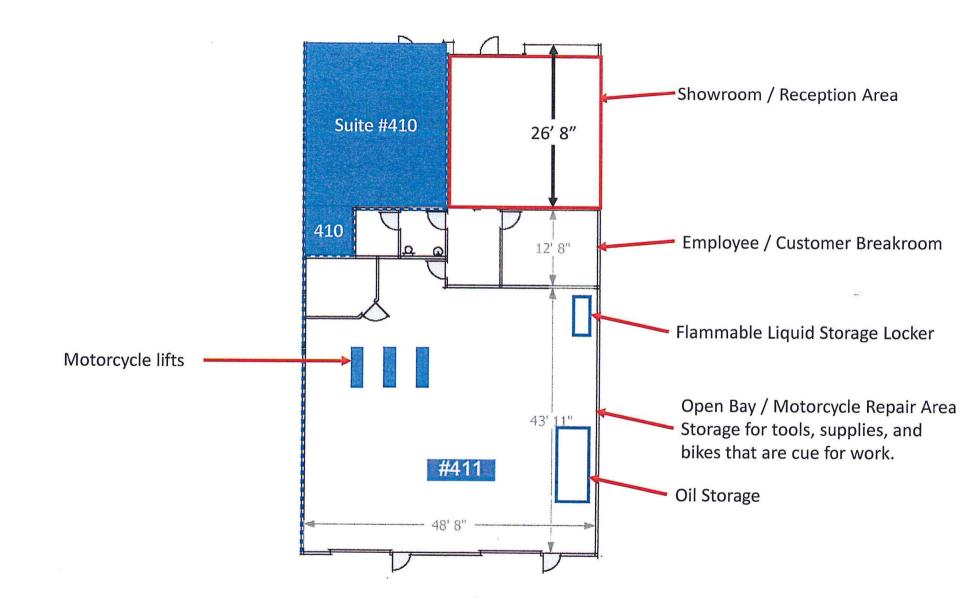
Site Location











### ORDINANCE NO. 17-07-20-

### SUP - MOTORIZED VEHICLE SALES AND SERVICE OF MOTORCYCLES

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE, ORDINANCE NO. 13-05-02-08, AS AMENDED, BY GRANTING A SPECIFIC USE PERMIT FOR MOTORIZED VEHICLE SALES AND SERVICE, LIMITED TO MOTORCYCLES, RESTRICTED TO SUITE 411 (BEING 3,187 SQUARE FEET) SITUATED ON PROPERTY ZONED I, INDUSTRIAL AND LEGALLY DESCRIBED AS LOT 1A, BLOCK A, PINNELL SQUARE ADDITION BEING 6.663 ACRES; PROVIDING A LEGAL PROPERTY DESCRIPTION; APPROVING A SITE PLAN; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Corinth, Texas has adopted Ordinance 13-05-02-08, as amended, which adopts a Unified Development Code, which includes the Comprehensive Zoning Ordinance and which, in accordance with the City's Comprehensive Plan, establishes zoning districts and adopts a Zoning Map; and

**WHEREAS**, the hereinafter described property is zoned I, Industrial under the City's Unified Development Code and a person having a proprietary interest in the property has requested a Specific Use Permit restricted to Suite 411 (being 3,187 square feet) of said property; and

WHEREAS, the Planning and Zoning Commission of the City of Corinth and the City Council of the City of Corinth, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the City of Corinth City Council is of the opinion that said Specific Use Permit for Motorized Vehicle Sales and Service, limited to motorcycles sales only, should be granted; and

WHEREAS, the City Council considered the following factors in making a determination as to whether the requested Specific Use Permit for Motorized Vehicle Sales and Service, limited to Motorcycles sales only, should be granted or denied: safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the sites; safety from fire hazards and damages; noise producing elements and glare of the vehicular and stationary lights and effect of such lights on established character of the neighborhood; location, lighting and types of signs and relation of signs to traffic control and adjacent property; street size and adequacy of width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood; adequacy of parking as determined by requirements of this ordinance for off-street parking facilities; location of ingress and egress points for parking and off-street loading spaces, and protection of public health by surfacing on all parking areas to control dust; effect on the promotion of health and the general welfare; effect on light and air; effect on the over-crowding of the land; effect on the concentration of population, and effect on transportation, water, sewerage, schools, parks and other public facilities; and

**WHEREAS**, the City Council further considered among other things the character of the districts and their peculiar suitability for particular uses and the view to conserve the value of the buildings, and encourage the most appropriate use of the land throughout this City; and

**WHEREAS**, the City Council has determined that the use will complement or be compatible with the surrounding uses and community facilities, contribute to, enhance or promote the welfare of the area of the Property and adjacent properties, and not be detrimental to the public health, safety or general welfare;

ORDINANCE NO. 17-07-20-\_\_\_ SUP – MOTORIZED VEHICLE SALES AND SERVICE OF MOTORCYCLES PINNELL SQUARE SUITE 411 Page 2 of 5

### NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:

### **SECTION I - LEGAL PROPERTY DESCRIPTION; AMENDMENT**

The Unified Development Code of the City of Corinth, Ordinance No. 13-05-02-08, as amended, is hereby amended to permit a specific use permit for Motorized Vehicle Sales and Service, limited to motorcycle sales and restricted to Suite 411 (being 3,187 square feet) on property legally described as Lot 1A, Block A, Pinnell Square Addition being 6.663 acres in the City of Corinth, Denton County, Texas as described in the metes and bounds description set forth in "Exhibit A" attached.

### SECTION II – SITE PLAN

The Site Plan documents approved and described as "Exhibit B" attached hereto and made a part hereof for all purposes shall be adhered to for the purposes of the proposed Specific Use Permit for Motorized Vehicle Sales and Service, limited to motorcycle sales.

### SECTION III – LAND USE REGULATIONS

The regulations contained in the Unified Development Code of the City of Corinth, Ordinance No. 13-05-02-08, as amended, including Sections 2.05.04 I, Industrial and 2.07.03 – Use Chart and the criteria found in Section 2.07.04 Conditional Development Standards #6, shall be adhered to. In addition the following will apply:

- 1. All business including but not limited to motorcycle sales, service, and display shall be conducted inside Suite 411 (being 3,187 square feet).
- 2. A maximum of five (5) gallons of gasoline will be permitted to be stored on site at any time.
- 3. The Specific Use Permit shall automatically expire if a certificate of occupancy has not been issued within 6 months of granting of the Specific Use Permit.

### **SECTION IV - ASSIGNABILITY; EXPIRATION**

The Specific Use Permit is non-transferrable. This Permit shall expire if a certificate of occupancy has not been issued within six months from the date of approval of this ordinance.

### SECTION V – PENALTY FOR VIOLATIONS

Any person, firm, or corporation violating any of the provisions of this ordinance shall upon conviction be fined a sum not to exceed two thousand dollars (\$2,000.00); and each and every day that these provisions are violated shall constitute a separate and distinct offense.

### **SECTION VI – SEVERABILITY CLAUSE**

If any section, paragraph, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

ORDINANCE NO. 17-07-20-\_\_\_ SUP – MOTORIZED VEHICLE SALES AND SERVICE OF MOTORCYCLES PINNELL SQUARE SUITE 411 Page 3 of 5

### **SECTION VII – EFFECTIVE DATE**

This ordinance shall become effective after approval and publication as provided by law.

### PASSED AND APPROVED THIS 20th DAY OF JULY, 2017.

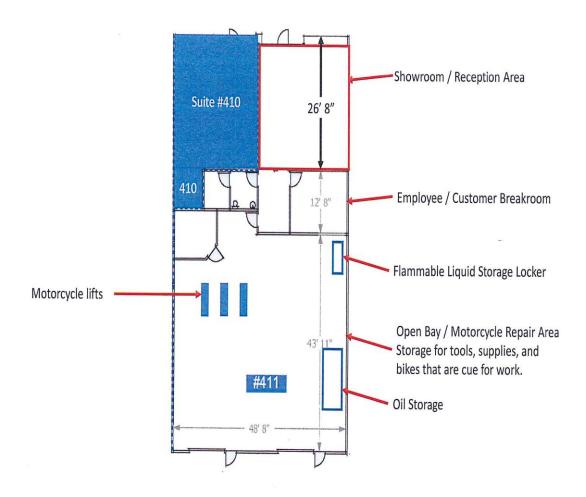
	APPROVED:
ATTEST:	Bill Heidemann, Mayor
Kimberly Pence, City Secretary	
APPROVED AS TO FORM:	
City Attorney	

ORDINANCE NO. 17-07-20-\_\_\_ SUP – MOTORIZED VEHICLE SALES AND SERVICE OF MOTORCYCLES PINNELL SQUARE SUITE 411 Page 4 of 5

## EXHIBIT "A" LEGAL DESCRIPTION

RESTRICTED TO SUITE 411 (BEING 3,187 SQUARE FEET) SITUATED ON PROPERTY LEGALLY DESCRIBED AS LOT 1A, BLOCK A, PINNELL SQUARE ADDITION BEING 6.663 ACRES AS SHOWN ON THE PLAT RECORDED IN CABINET X PAGES 551 AND 551, PRDCT.

EXHIBIT "B"
Site Plan Layout Suite 411



#### **BUSINESS ITEM** 5.

City Council Regular and Workshop Session

**Meeting Date:** 07/20/2017

**Title:** Appointment to the Denco Area 9-1-1 District Board of Managers

Submitted For: Kim Pence, City Secretary Submitted By: Kim Pence, City Secretary

City Manager Review: Approval: Bob Hart, City Manager

#### **AGENDA ITEM**

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

#### AGENDA ITEM SUMMARY/BACKGROUND

On March 30, 2017, The City Council nominated Sue Tejml for potential appointment to the Denco Area 9-1-1 District Board of Managers. The following nominations were received by the June 15, 2017 deadline.

Nominee	Nominating Municipality
Sue Tejml	City of Corinth
	City of Highland Village City of Lewisville
	Town of Copper Canyon
	Town of Hickory Creek
	Town of North Lake
	Town of Trophy Club
David Terre	City of The Colony
Chrystal Davis	City of Carrollton

The Denco Area 9-1-1 District requests that each participating municipality vote for one of the nominees and advise the district of its selection by September 15, 2017. The nominee with the most votes will be the municipal representative appointed for the two year term beginning October 1, 2017. Resumes of each nominee are attached.

#### RECOMMENDATION

N/A

	Attachments	
Resolution		
Tejml		
Tejml Terre		
Davis		

# Resolution No. 17-07-20-

A RESOLUTION FOR THE APPOINTMENT ONE MEMBER TO THE BOARD OF MANAGERS OF THE DENCO AREA 9-1-1 DISTRICT.

WHEREAS, Section 772, Health and Safety Code, provides that two voting members of the Board of Managers of an Emergency Communications District shall be appointed jointly by all cities and towns lying wholly or partly within the District;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CORINTH, TEXAS:

	Section 1		
The City of Corinth hereby votes for of Managers of the Denco Area 9-1-1 D		_ as a member o	f the Board
	Section 2		
That this resolution shall become effect	ive immediately upor	ı its passage and	approval.
PASSED AND APPROVED this the	day of	,	2017.
	Bill Heidema City of Corin	•	
ATTEST:  Kimberly Pence, City Secretary			

# Sue Rosson Teiml

March 2016

835 Orchid Hill Lane Argyle-Copper Canyon, TX 76226-4526

Metro: 940-241-2216 suecoppercanyon@aol.com

PERSONAL:

Native Texan; raised in Corpus Christi (Copper Canyon resident since 1991)

Married to husband Emil Teiml (engineer & attorney, retired Hoechst-Celanese VP)

(In case you wondered, his Czech name does rhyme - A mull TAY mull.)

Three adult children (all A&M grads), seven grandchildren (ages 4 to 28)

With corporate moves, we have lived in 4 states, 6 Texas cities & worked abroad

Stay-at-home mother, until I became an attorney at age 40.

**EDUCATION:** University of Texas at Austin (B.A. History)

University of Hawaii (all summer, literature & history of the Pacific)

Texas A&M University at Kingsville (M.A. History)

Rice University (full scholarship for PhD History, lack dissertation for degree)

New York University Law School (2 years) - U. of Houston Law School (LL.B.)

MAYOR:

Town of Copper Canyon for 12 years; re-elected unopposed 7th term 2017-2019

2015 Copper Canyon ranked #6 in Ten Best Neighborhoods in DFW Metroplex by Dallas Morning News, ranked #4 in safety for residents

Leadership North Texas Graduate - North Texas Commission - 2015 Class 6

Denco 911 - Board of Managers 2013-2017; nominee for 3rd term 2017-2019

# "What's Happening in Copper Canyon"

For 12 years I have personally written this monthly Mayor's column in The Cross Timbers Gazette, a local newspaper with 41,000 circulation. (Second in circulation in Denton County only to the Dallas Morning News.) This has been my attempt to keep residents informed of events in our Town and also of subjects of general interest in the area - roads, water, gas well drilling, etc.

Initiated Annual Denton County Mayors Crime Luncheon (2012-2017) The goal was to coordinate information on area crime between the Mayors, their Police Chiefs, the Denton County Sheriff's Office, the Commissioners Court, our Texas Legislature representatives, and our US Congressman.

# Denton County Emergency Services District #1

Our small Town's dilemma was inability to adequately fund emergency services. The Founding Committee's task was to educate residents on the benefits of an ESD. The ESD would collectively provide fire and emergency medical services to the towns of Argyle, Bartonville, Copper Canyon, Corral City, Northlake, and FWSD #6 and #7 in Lantana. But a specific property tax would be needed to fund it. ESD#1 was created in 2006 by a 62% positive vote in a district-wide election.

Drafting Committee: "Best Practices for Municipalities and Gas Pipelines" (Adopted 2010 by most cities and pipeline corporations with gas pipeline operations in Denton County.) This was a collaborative effort of Mayors, Denton County Commissioners, and the Texas Pipeline Association. The goal was to expedite safe pipeline construction, but with a minimal impact on landowners, local businesses, and future development plans of each city.

Argyle Volunteer Fire District Board (Served 12 years, 2005 to present)

# Neighborhood Watch and Crime Prevention

Copper Canyon does not have a police department. Resident Block Captains were recruited for each street in town. The Town Council then contracted to pay for two Sheriff's Deputies dedicated to Copper Canyon for 80 hours per week. On every shift the Deputy patrols each street in Copper Canyon at least once and sometimes twice. The result has been a virtually crime free community for the past nine years. (It helps that the town is a stable community with neighbors personally knowing each other for years.)

LEGAL:

Solo Attorney 15 years (General Civil Practice - municipal, family law, oil & gas)

Matagorda County Bar Association - President

State Bar of Texas:

State CLE Committee
District 5 Admissions

Texas Bar Foundation - Life Member

FAMILY LAW: Board Certified Family Law (for 10 years)

Texas Supreme Court Committee on Child Support Guidelines Texas Supreme Court Committee on Child Visitation Guidelines

MUNICIPAL:

City Attorney of Bay City, Texas (for 6 years; population approx. 20,000)

Municipal Prosecutor

Legal Advisor to Police Department

Bay City Home Rule Charter Commission (elected public office, Co-Chairman)

Texas City Attorneys Association

VOLUNTEER: CASA of Denton County (2 years)

(Volunteer as a Court appointed Special Advocate for abused children)

HUG Romania – Volunteer in a Romanian orphanage for 3 weeks CERT trained for Town of Copper Canyon's Emergency Response

INTERESTS: Home Design: Designed 5 of our family homes, including home in Copper Canyon

Misc.: Computer, cooking, dollhouse miniatures, hunting, organic gardening Read: Biography, history, current global events, 1800's British romance novels

WORLD TRAVEL: Eisenhower "People to People Ambassador" – Texas guest of China's Department of Justice for one month with 50 American women attorneys & judges

Have visited for a week to a month each in: Alaska, Australia, Bermuda, Beirut, Canada, China, Czech Republic, England, France, Germany, Greece, Hawaii, Ireland, Italy, Japan, Mexico, Romania, Russia, Saudi Arabia, Scotland, Singapore, Switzerland, Tahiti, Turkey, Venezuela, & Wales.

Hope to visit: Africa, Argentina, Brazil, Egypt, India, Israel, New Zealand, Peru, & Tasmania.

2017 Travel: Two weeks in Far East in April - Korea and Japan (Hopefully, without military conflict)

NOTE: Way more than you wanted to know! But, if you have read this far - Thank you.

Being on Denco 911's Board for four years has been an enlightening experience for me. We take for granted that when we call 911, a qualified person will answer and immediately send help. Dallas's recent experience is sobering. Lives are at stake when an emergency call center is understaffed AND there are communication difficulties!

The Denton County Sheriff's Office kindly accommodated my request to "sit in" on a shift of 911 active dispatchers. WOW! The stress is so obvious, because minutes mean the difference in response to a heart attack or child not breathing or home fire or traffic accident. Training is critical! The Dispatcher has seconds to get accurate answers from a person who may be understandably hysterical in the midst of a personal emergency or even tragedy!

If you can, I would genuinely appreciate your support for another two years on Denco 911's Board. And, in return, I promise to keep learning how we can make our Denco 911 continue to be the best it can be for everyone in need of emergency response in Denton County.

Sue Tejml

# David Terre 3941 Teal Cove The Colony, Texas 75056 972 740-4526

# **EDUCATION**

Moberly Community College (2 Years)
Drake University
Earned a BS Degree in Business Administration and a Minor in Economics

# **EMPLOYMENT HISTORY**

Enjoyed a wonderful 46 year career working for Wilson Sporting Goods; rose through the ranks to become VP of Sales responsible for all domestic sales. Along the way, also managed European Sales Operations while living in Germany and playing professional basketball in Belgium. Worked in marketing coordinating successful new product introductions; and, also managed West Coast Distribution Operations.

# THE COLONY PLANNING and ZONING COMMISSION

Served 3 years- 2008 thru 2011 as a member and Vice Chair of the board.

# THE COLONY CITY COUNCIL

- Elected in 2011 and received the honor of being elected Mayor Pro Tem during my first term.
- In 2012 appointed to the Local Development Corporation Board of Directors to oversee Grandscape (Nebraska Furniture Mart) Development.
- In 2013 became the first Council Member from The Colony to ever be elected to Denton County Tax Appraisal District Board of Directors.
- Was reelected in 2014 to a second term on council, receiving 71% of the total vote in a three candidate race.

# **HONORS RECEIVED**

1982 Drake University Basketball Hall of Fame

1994 Moberly Community College Basketball Hall of Fame

1995-2003 Three-time Senior Olympics Gold Medal Winner playing for the USA Basketball Team

1999 Received Wilson Wall of Fame Honor

2007 Selected as Moberly Community College Outstanding Alumni of The Year

2013 Received Washington High School Hall of Honor Award

Chrystal Davis 1317 Oneida Drive, Carrollton, TX 75010 940-465-6860

Chrystal.Davis@cityofcarrollton.com

#### Summary:

An effective problem solver and relationship builder skilled in enlisting the support of team members in aligning with project and organizational goals. Executive Team member with over 12 years' experience in municipal government providing guidance and direction to various operational areas.

## Experience:

# City of Carrollton, Carrollton, TX

Assistant City Manager

Jan 2016 - present

- Provide direction and guidance to various departments, which include Parks and Recreation, Library, Fleet and Facilities, Human Resources and Administrative Services. Work with various departments in regards to our regional dispatch center, NTECC. Evaluate performance within assigned City departments, program categories and services to ensure prompt, efficient and effective service delivery.
- Responsible for assistance and support to the City Manager and City Council. Assists the City Council in responding to inquiries and/or requests for information from citizens.

## City of Carrollton, Carrollton, TX

Workforce Services & Civil Service Director

July 2013-Jan 2016

- Responsible for daily operational HR functions, to include: Strategic planning, staffing, employee relations/investigations, HRIS administration, management development, performance management, benefit administration and civil service administration.
- Successfully took all employee benefits to market and transitioned to a new TPA and healthcare network.
- Worked closely with the Deferred Compensation Employee Advisory committee and The Hyas Group to consolidate deferred compensation providers.
- Worked with NTECC Executive Director and Board to establish new policies and HR procedures for the consolidated dispatch center.
- Transitioned to a robust Applicant Tracking system with Spanish application capabilities, a customizable screening tool and a manager self-service component.
- Transitioned working spouses off of the health plan which resulted in an approximate \$700,000 savings to the health fund.
- Eliminated performance evaluations and transitioned the organization to goal setting.
- Conducted a dependent audit which eliminated 12 dependents from the health plan and provided a \$60,000 savings to the health fund.
- Introduced lower cost healthcare solutions to the clinic to save employee & health fund
- Shared HR and clinic services with multiple governmental entities.

# City of Carrollton, Carrollton, TX

Workforce Services Manager & Civil Service Administrator

May 2007-July 2013

- Responsible for HR functions, to include: Strategic planning, staffing, employee relations/investigations, management development, performance management and civil service administration. Lead a staff of 5 in support of 850+ employees in 20+ locations.
- Successfully competed with the open market and was declared Substantially Competitive maintaining all HR functions. Down-sized from a staff of 12 to 7.75.
- Eliminated department overtime for 5 consecutive years with a savings over \$50,000.
- Provided in-house recruitments for key positions to eliminate headhunter costs resulting in approximately \$100,000 savings.
- Hired Stimulus Workers and hosted a job fair in effort to fill 250 positions for 42 local businesses, including the City of Carrollton. Efforts recognized by the Wall Street Journal.
- Implemented first online application system and initiated the automation of hiring and exiting forms. Designed workflow for paperless personnel files.
- Implemented the Employee Health & Wellness Center.

#### City of Carrollton, Carrollton, TX

Staffing Coordinator & Civil Service Administrator

Mar 2005-May 2007

- Worked on the Lawson project to setup first online application system that would interface with the new HRIS.
- Screened paper applications and managed advertising contracts.
- Coordinated special recruitments and conducted pre-employment testing.
- Conducted FLSA audit various positions not previously audited.
- Updated job descriptions and created job descriptions for new positions.
- Maintained DOT drug testing software and handled all random drug testing.
- Administered all Civil Service exams and served as the liaison to the Civil Service Commission.

#### Financial Center Credit Union, Stockton, CA

Human Resources & Development Manager

Mar 2002-Mar 2005

- Responsible for all HR functions, including: Strategic planning, staffing, employee relations, ADP payroll, management development, benefits administration, compensation & classification and performance management.
- Supported 120 employees in 4 locations.
- Instituted first Classification and Compensation system to ensure market competitiveness.
- · Handled all workers' compensation claims and unemployment hearings.
- Developed training curriculum for new loan software and transitioned organization to automated underwriting system.

#### Providian Financial, Sacramento, CA

Trainer/On-The-Job Training Coach/Collection Rep

Apr 2000-Mar 2002

- Trained new collection representatives.
- Monitored calls for quality assurance.
- Coached employees on the job for maximum performance & customer service.
- Trained and transitioned 400 sales employees to collections.

Education:

California State University Stanislaus, Turlock, CA

Bachelor's Degree - Business Administration

Certification:

Certified Public Manager (CPM), Arlington, TX - in progress

Texas State University - NCTCOG

Professional in Human Resources (PHR)

Human Resource Certification Institute

Society for Human Resource Management - Certified Professional (SHRM-CP)

Society for Human Resource Management

Advisory Roles:

Carrollton Leadership Academy (CLA), Organizational Efficiency Task Force (OETF),

Compensation Committee, IT Technical Advisory Committee, Fiduciary Committee, IT Steering

Committee, Executive Team

#### WORKSHOP BUSINESS ITEM 6.

## **City Council Regular and Workshop Session**

**Meeting Date:** 07/20/2017

Title: Unified Development Code Update Overview

**Submitted For:** Fred Gibbs, Director **Submitted By:** Fred Gibbs, Director

City Manager Review: Approval: Bob Hart, City Manager

#### **AGENDA ITEM**

Hold a discussion and provide staff direction on the upcoming Unified Development Code updates.

#### AGENDA ITEM SUMMARY/BACKGROUND

The Unified Development Code was adopted by City Council in May 2013 after a year long review. Since then, staff has kept an ongoing list of some proposed updates that need to be addressed. These updates will help improve the predictability and flexibility of the City's development process. These updates will also keep the document clear, fresh and adaptable to the ever changing development community. Below is an overview of the proposed changes:

#### **Site Plan Process:**

The following amendment will allow for speed and predictability of the site plan process. Currently it can take up to two months just to get through the site plan process of P&Z and City Council. With the proposed changes, staff will have the approval authority of site plans with waiver and appeal authority going to P&Z and City Council. The UDC amendment ordinance draft is under attorney review and is slated to go before the Planning and Zoning Commission on July 24 and City Council on August 3 for consideration.

#### **Letter of Credit Criteria:**

Currently the UDC only allows letter of credits to be from banks in Dallas or Denton Counties. This requirement has caused some delay when moving projects forward. Staff is proposing to add the State of Texas Counties to the list with the anticipation that most banks are located in the DFW metro area. This change will also allow more speed and predictability in the development process. This UDC amendment is also under review with the City Attorney and is slated to go before the Planning and Zoning Commission on July 24 and City Council on August 3 for consideration.

#### Landscaping:

The amendment to the landscaping ordinance in the UDC will provide additional plants that are native to this area. We have had numerous requests to allow more native plants within our landscape regulations. Staff feels the City needs to include more native species to the list so staff is currently updating that list to provide more flexibility in our ordinance.

## **Engineering Standards Manual:**

These details have not been updated since 1999. Staff is about 60% complete with the update to the standard details. We have modified the existing details and added additional standards for other types of designs for water, sewer, approaches, etc.

#### **Park Land Dedication:**

Park Land Dedication is clear for residential only and multifamily only projects but not very clear for Mixed Use Projects (Commercial/Multifamily/Residential). Staff would like to amend the parkland dedication section to give more clarity on the parkland dedication when dealing with Mixed Use Projects.

#### **Permitted Use Chart/Definitions:**

Staff would like to revisit the permitted use chart and use definitions with P&Z and City Council. Staff feels that some uses and definitions may need to be changed or modified. Some of those uses include hospitals, drive through restaurants, free standing car wash facilities, Private Charter Schools etc.

# Sign Ordinance:

Staff would like to revise the format of the sign ordinance to comply with the First Amendment due to the Reed v. Town of Gilbert case. Amendments to the sign regulations would include increasing the maximum height allowed for letters or logos on wall signs based on corridors, and to include regulations for window signs.

# **Hotel/Motel Changes:**

Currently, hotels are allowed by-right in certain zoning districts under the UDC regulations. Staff would like to only allow four different types of hotels upon approval of a Specific Use Permit and include hotel standards for those different types of hotels.

#### **Cluster Mailbox Kiosks:**

Staff is currently working with the Post Office to come up with some design and location standards for the mailbox kiosks.

#### RECOMMENDATION

N/A

#### WORKSHOP BUSINESS ITEM 7.

City Council Regular and Workshop Session

**Meeting Date:** 07/20/2017

Title: Gateway Sign Discussion

**Submitted For:** Fred Gibbs, Director **Submitted By:** Fred Gibbs, Director

City Manager Review: Approval: Bob Hart, City Manager

#### **AGENDA ITEM**

Receive a presentation, hold a discussion and provide direction on a proposed gateway sign along Swisher and I-35E.

#### AGENDA ITEM SUMMARY/BACKGROUND

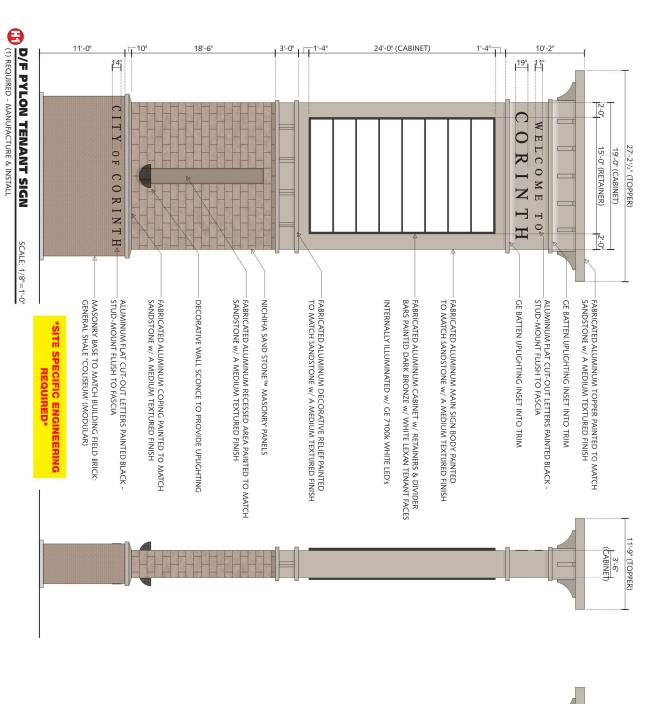
Staff has been working with the owner/developer on creating a gateway sign at the corner of Swisher and I-35E. The gateway sign would provide Corinth identity along two major corridors. It will also help establish a physical presence of our City Limits and the new businesses that are calling Corinth home.

## RECOMMENDATION

Gateway Sign

Staff would recommend a gateway sign in this area to provide identity and presence in the area.

Attachments		



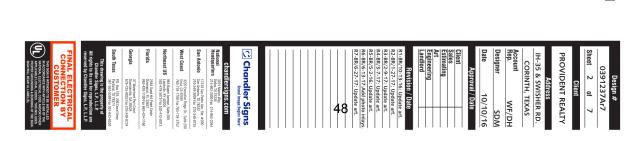
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**OPPOSITE SIDE**