



*** PUBLIC NOTICE ***

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

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

CALL TO ORDER:

5:30 p.m. WORKSHOP BUSINESS AGENDA

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.

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:

PRESENTATION:

1. Receive a presentation and hold a discussion on the Community Waste Disposal Annual Review.

PROCLAMATION:

Motorcycle Safety Awareness Month

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.

2. Consider and act on a Resolution Re-appointing Cody Collier to the Upper Trinity Board of Directors.
3. Consider and act on minutes from the March 2, 2017 Workshop Session.
4. Consider and act on minutes from the March 2, 2017 Regular Session.

5. Consider and act on minutes from the March 16, 2017 Regular Session.
6. Consider and act on a Unified Sign Plan for Valencia Subdivision located on property legally described as a portion of Tract 8A situated in the BBB & CRR Survey, County Abstract 153 in the City of Corinth, Denton County, Texas. The location of Valencia Subdivision is on the north side of FM 2181 between 2301 and 2101 FM 2181.

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.

BUSINESS AGENDA

7. Consider and act on an ordinance approving a rate increase for the collection of Solid Waste in the master fee schedule and providing an effective date.

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.

Section 551.071. (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551.

a. Marcus Mote v. Debra Walthall, Case No. 4:16-cv-00203-RC, United States District Court for the Eastern District of Texas.

Section 551.072. To deliberate the purchase, exchange, lease or value of real property.

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.

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

Section 551.087. To deliberate or discuss regarding commercial or financial information that the governmental

body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

After discussion of any matters in closed session, any final action or vote taken will be in public by the City Council. City Council shall have the right at any time to seek legal advice in Closed Session from its Attorney on any agenda item, whether posted for Closed Session or not.

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

ADJOURN:

Posted this 13 day of April, 2017 at 4:30 p.m.on the bulletin board at Corinth City Hall.

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

PRESENTATION ITEM 1.

City Council Regular and Workshop Session

Meeting Date: 04/20/2017
Title: CWD Annual Review
Submitted For: Lee Ann Bunselmeyer, Director
Submitted By: Lee Ann Bunselmeyer, Director
City Manager Review: Approval: Bob Hart, City Manager

AGENDA ITEM

Receive a presentation and hold a discussion on the Community Waste Disposal Annual Review.

AGENDA ITEM SUMMARY/BACKGROUND

Community Waste Disposal is a privately owned waste management company. Started in 1984, the organization has grown to over 125 trucks and over 225 staff members. CWD has contracts to serve 17 municipalities providing various selections of collection and recycling programs.

The City of Corinth contracted with CWD in December 2012 to provide solid waste collection, recycling and household hazardous waste services. The contract is for a five year term ending on December 31, 2018, with up to three annual renewals.

A representative from CWD will provide an Annual Review of the services provided to the residents of Corinth.

RECOMMENDATION

N/A

Proclamation

City Council Regular and Workshop Session

Meeting Date: 04/20/2017
Title: Motorcycle Safety Awareness Month
Submitted By: Kim Pence, City Secretary
City Manager Review: Approval: Bob Hart, City Manager

AGENDA ITEM

PROCLAMATION:
Motorcycle Safety Awareness Month

AGENDA ITEM SUMMARY/BACKGROUND

N/A

RECOMMENDATION

N/A

Attachments

Proclamation



MAYOR'S PROCLAMATION

***WHEREAS**, today's society is finding more citizens involved in motorcycling on the roads of our country; and*

***WHEREAS**, motorcyclists are roughly unprotected and therefore more prone to injury or death in a crash than other vehicle drivers; and*

***WHEREAS**, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and, most of all, fatalities, through a comprehensive approach to motorcycle safety; and*

***WHEREAS**, it is the responsibility of all who put themselves behind the wheel, to become aware of motorcyclists, regarding them with the same respect as any other vehicle traveling the highways of this country; and it is the responsibility of riders and motorists alike to obey all traffic laws and safety rules; and*

***WHEREAS**, urging all citizens of our community to become aware of the inherent danger involved in operating a motorcycle, and for riders and motorists alike to give each other the mutual respect they deserve;*

***NOW, THEREFORE I**, Bill Heidemann, Mayor of the City of _____ do hereby proclaim the month of May, as Motorcycle Safety and Awareness Month in this city. Further, I urge all residents to do their part to increase safety and awareness in our community.*

***IN WITNESS WHEREOF**, I have set my hand and caused the Seal of the City to be affixed this _____ day of _____ in the year 2017.*

Bill Heidemann, Mayor

CONSENT ITEM 2.

City Council Regular and Workshop Session

Meeting Date: 04/20/2017

Title: Consider nomination to the Upper Trinity Regional Water District (Cody Collier)

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 Re-appointing Cody Collier to the Upper Trinity Board of Directors.

AGENDA ITEM SUMMARY/BACKGROUND

The Upper Trinity Regional Water District was created to ensure an adequate water supply for its Members and Customers in Denton and Collin Counties, Upper Trinity provides treated (drinking) water services on a wholesale basis to more than 20 cities, towns, and utilities. Each local utility system then delivers the drinking water to its many retail customers for residential, commercial, industrial and municipal uses. The District also provides Waste Water Services. The District oversight is by Directors appointed by each member agency. There are a total of 20 Directors. Directors are appointed for terms of four years.

Most positions are filled with the professional city staff dealing with these services. Sometimes the appointment is made to a local citizen. Mr. Collier was appointed in October of 2015 to fulfill the unexpired term vacated by the previous Director of Public Works, Justin Brown. Mr Collier is eligible for re-appointment, or the Council may make a new appointment, for a four (4) year term. An appointee must be a qualified voter, must reside within the boundaries of Upper Trinity, may not be an elected official and may not be an employee of another member entity of Upper Trinity.

RECOMMENDATION

Staff recommends that Cody Collier be re-appointed as a Director to the Upper Trinity Regional Water District by approval of the attached Resolution.

Attachments

Resolution

RESOLUTION NO. 17-04-20-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS REAPPOINTING CODY COLLIER, DIRECTOR OF PUBLIC WORKS, TO THE UPPER TRINITY BOARD OF DIRECTORS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the current term of appointment for Cody Collier, Director of Public Works, of the City of Corinth, Texas as representative to the Upper Trinity Regional Water District Board of Directors expires on May 31, 2017; and

WHEREAS, Cody Collier accepted the position of Public Works Director for the City of Corinth, Texas and began work on July 25, 2016; and

WHEREAS, the City of Corinth, Texas determined that Mr. Collier was a qualified appointee and appointed him to serve as the City's representative to fulfill the unexpired term vacated by the previous Director of Public Works, Justin Brown; and

WHEREAS, Cody Collier has served as Corinth's Board Member since appointed in October of 2015; and

WHEREAS, the City Council shall appoint and maintain a representative to the Upper Trinity Regional Water District Board of Directors.

NOW THEREFORE, the City Council of the City of Corinth, Texas hereby resolves,

SECTION 1

THAT the facts and recitations contained in the above preamble of this Resolution are hereby incorporated herein for all purposes.

SECTION 2

THAT Cody Collier shall be appointed the City of Corinth's representative to fill the four-year term on the Upper Trinity Regional Water District Board of Directors, said term of office expiring May 31, 2017.

SECTION 3

THAT this Resolution shall take effect immediately upon passage, and it is accordingly so ordered.

PASSED AND APPROVED this 20th day of April, 2017.

RESOLUTION NO. 17-04-20-

Mayor Bill Heidemann
City of Corinth, Texas

ATTEST:

Kimberly Pence City Secretary
City of Corinth, Texas

(SEAL)

APPROVED AS TO FORM AND LEGALITY:

Mack Reinwand, City Attorney

CONSENT ITEM 3.

City Council Regular and Workshop Session

Meeting Date: 04/20/2017

Title: March 2, 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 March 2, 2017 Workshop Session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are minutes from the March 2, 2017 Workshop Session. The minutes are in draft form and not considered official until formally approved by the City Council.

RECOMMENDATION

Staff recommends approval of the March 2, 2017 Workshop Session Minutes.

Attachments

Minutes

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

On this the 2nd day of March 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, 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
Lee Ann Bunselmeyer, Finance Director
Fred Gibbs, Planning and Development Director
Cody Collier, Public Works Director
Kim Pence, City Secretary
Elaine Herzog, Engineering Manager
Curtis Birt, Fire Chief
Debra Walthall, Chief of Police
Greg Wilkerson, Assistant Chief of Police
Shea Rogers, Technology Services Manager
Jason Alexander, Economic Development Director
Mike Brownlee, City Engineer
Guadalupe Ruiz, Human Resources Director
Mariya Aguilar, Human Resources Generalist
Mack Reinwand, City Attorney

CALL TO ORDER:

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

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.

SUPPLEMENT AGENDA

- 1a. Hold a discussion and give staff direction regarding the findings of the 2016 Compensation Study.

Bob Hart, City Manager - You asked me to look at this, I was going to be a little more expansive on my comments, if I could since it's my first meeting, I thought I might share some of the observations here. In looking at the study, number one, I think the methodology that has been used in the study is sound, it's similar to the methodologies that I have used in the past. While I don't know all the region that well, I'm not sure I'd exactly select the same cities, but I figure that will come later. I still think the methodology is good. The 50% market target is what I have always recommended so I think that is a good conservative approach. It would have been the same thing that I would have recommended here. In terms of the quality of the study, I think it is good quality and it followed everything that I would have typically said.

In terms of the broader issue itself, I think clearly it would have been a little easier on me if it wasn't three weeks in, but rather three months in. I would have had a little bit better chance to look at a full breadth of the community and the organization. The timing is what it is. I think that in part of trying to look ahead and discussions with the staff, the budget impact in terms of the Lake Sharon extension, the public safety building, the building of the third firehouse and the staffing of the third station for the fire department is certainly an issue that is going to impact the budget as we go. And part of that analysis is trying to figure out where some of those priorities are.

With all of that said, I think if you go back and look at the turnover rates, particularly in the police department and in the public works department and the results of this study in terms of the market pressures that we have on salaries, I think the increases and doing them at this point are warranted. I'd recommend that we go ahead and do that. I think it's a good solid move. I think it addresses police and fire - where in fire it picks up from the captains down and in police from the lieutenants down.

I think the way that the recommendations were put together for you. The individuals that got increases in October and then when the market studies rolled in there's not a windfall that's accompanied with that. I think those adjustments have been very careful. Overall, I think it's a sound recommendation and I would certainly recommend that you consider that for your approval.

Mayor Heidemann - Are there any questions?

Councilmember Glockel - I don't disagree with the methodology, but I do disagree wholeheartedly with the comparing us with some of the cities in the 12 cities we used in the study. I don't know if you had a chance or if the information was furnished, but last year I did a little bit of math on research through the Texas sales tax looking at how we stand out of the 12 cities. Quite frankly, we are trying to compare ourselves with people that generate tremendous more money than we do. For example, and this is a fact, Lee Ann, if you don't mind me asking was your last sales tax somewhere in the neighborhood of \$254,000?

Lee Ann Bunselmeyer, Finance Director - Yes.

Councilmember Glockel - This was the last sales tax we received from the State of Texas. Out of the 12 cities we are comparing ourselves with, we are the lowest sales tax generator of the group. Out of the 12, we have about four cities that are in the 20, 21, 22 thousand population or 24,000, which is Watauga, we are the 12th at \$254,000. The number one that we are using as a reference is \$3.849 million for that same time frame. We are comparing ourselves to something that is not possible to compare to. The next city is Sachse and they are at \$295,000 for the same period and then the next town jumps all the way up to \$411,000 and then we are up in to \$471,000 and from there on they are all a million to three million dollars for the same time frame. We've got to consider giving raises, I don't disagree with that, but I don't think we can compare ourselves mid-range with Lewisville is the number one on this list. They generated \$3.8 million dollars. The second guy on this list is Denton. They generated \$3.7 million - same time frame. The third one on the list is The Colony, \$2.5 million. The number four is Flower Mound which is \$1.9 million. Number five is Wylie at \$1.1 million. Number six is Bedford at just a little over one million. Number seven is Little Elm - they generated \$748,000 in the same time frame that we generate \$254,000. Eighth place is down to \$551,000. Ninth place is \$471,000. Tenth place is \$411,000. Eleventh place is \$295,000. Twelfth place is us at \$254,000.

I don't understand how we can compare ourselves to these guys. We need to look at who we compare ourselves with. We can't compete with these folks. I talked to the retired city manager from McKinney. I asked him, "Did you have the same problem there?" He said "absolutely." So what did you do? He said "nothing." We paid our people a fair price and there's always somebody that can pay more. You can't afford to keep up with the Jones'. That is how I feel. We need to pay a respectable salary, but if you're looking at keeping up with these folks, it would be like saying that Highland Park happens to have 20,000 people so let's compare ourselves to Highland Park. No body would do that. We can't compare ourselves to Denton or Lewisville, but the study does that.

Bob Hart, City Manager - I think part of the reason that the study does this is that it's where we are competing for employees. That is why the revenue sources don't matter so much. The difficult part about being in a city that is revenue poor, is you have to be a lot more creative and do things a little differently to be able to keep up. But you are still competing in the same marketplace for the same employees. If you go back and look at the methodology, we are going in there at 50% of the market, we are not going to compete with Denton and we are not going to compete with Lewisville. With Lewisville, I don't think anybody in the Metroplex is going to compete with them. We have to be at a point to stem some of the turnover that we are seeing. I think in that sense, it is important. If you go back and look at the numbers, Denton and Lewisville get washed out of the system. We are down more in that mid-range. There are some cities that philosophically go in and they want to be at 75% or 100% of the market target. We couldn't afford to do that at all. I think that that is why the 50% approach is real solid. You are competing in the marketplace for employees. From my perspective there is a whole lot more money up here to work with than there is in the south side of the Metroplex. While it's tough, I know. It looks a lot better from this side than it does from that side. Those cities you are competing with in the same marketplace is quite difficult.

Councilmember Glockel - The populations are Lewisville is sitting at 101,000. Wylie is at 44,000. Denton is at 123,000. If you go through the charts that they used last year, Denton did pop in there a time or two and we are trying to compare. I

would have to review that packet again which wasn't in anything we had to look at this time. I'm not opposed to working with raises. I am opposed to trying to keep up with these twelve cities. There are only five of them maybe that are comparable to us in size and revenue.

Bob Hart, City Manager - I think if you look at the methodology though, realistically that is who we are comparing ourselves to. We are really competing more with Watauga, Wylie in that category of community.

Councilmember Glockel - I think if you had time to look at that study you'll see that we are comparing ourselves to Denton on a couple of them. I may be wrong, but that's what I recall.

Bob Hart, City Manager - One that you would have seen that we are comparing ourselves to is the Administrative Assistant with Denton and Lewisville. For the positions that we have been dealing with here, generally it's Sachse, Wylie, Bedford, Saginaw. That's where my comfort level went up in terms of the recommendation.

Councilmember Johnson - We have those property appraised values. Whenever you start looking at our almost \$2 billion dollars in appraised property value it makes a big difference in where we fall in revenue. It's hard to use sales tax as a generator. We have a very small amount of commercial development. It's going to be tough for us to compare anyway. One of the things we do have is a huge home base business that generates a lot of our sales tax that is a number that we are still trying to capture. I think when you throw in the appraised value those of us at cities like The Colony used to be where they didn't have much retail development they always lagged, but they also lagged in appraised value whereas we don't. We are carrying it on the appraised value right now until a time such as we can get on more sales tax. This is really not a fair comparison unless you have the appraised value.

Councilmember Glockel - We asked last time for the staff to go back and look at AV and sales tax and see where we fit. Not just population. I don't think that happened. If it did, I'm not aware of it.

Councilmember Johnson - I'm looking right now to see if I can find on the appraisal district if they have the counties broken down by city because they always publish that. You have to have that play in mind whenever you start talking about these comparisons

Councilmember Garber - This is more of a question for Economic Development. One of things that is exciting about Corinth is that we are on the precipice of some fun things coming out. Can we venture as to what our sales tax revenue will be in the next three years? Are we going to be up at the \$3.9 million dollar a year sales tax or are we going to be at the \$500,000?

Jason Alexander, Economic Development Director - I don't think we'll be at the \$3.9 million. It's difficult to gauge. Right now from the data that is being presented, through publications as well as conferences, we are on the uptick in terms of retail. We want to make sure that when we attract retail commercial activity in that it can be internet proof as well as withstand tough times economically. That would be very difficult to gauge.

Councilmember Harrison - Since I have been here, we have never spent money unless we had it. I don't consider whatever is going to happen in the future because these are long term commitments. I have no problem with this process. How will this affect future budgets and how will it affect those people that are getting the salary increase now? What happens to the 2017-2018 budget? I will defer those questions until the City Manager has his time to study everything and form an opinion because they are his employees. When the City Manager is ready he will submit a proposal based off of what he thinks how it should be managed for the city.

Councilmember Glockel - Lee Ann, you have \$177,000 that you pulled from four different departments to support this proposal?

Lee Ann Bunselmeyer, Finance Director - Right

Councilmember Glockel - Five months ago when we set the budget, we needed all of that money for projects. There has got to be something that happened in all four of those departments that eliminated the need for that money. Is that a true statement?

Lee Ann Bunselmeyer, Finance Director - No Sir. The budget amendment for this would be \$177,000, \$166,000 comes from the general fund. Last year we actually levied a tax rate that gave us about \$662,000 that we did not have expenditures tied to because we did not know what was going to happen to the fire department. We then came in and hired three firemen

and that was going to be for a total annual cost of \$230,000. We still have about \$300,000 and something dollars of that \$662,000 that we over budgeted last year. Additionally, if you remember we eliminated three parks department employees and with that we cut about \$115,000 out of the budget as well. We have some excess in there that is uncommitted revenues that are tied to the tax rate in the general fund. We didn't have to eliminate any projects. That is the history of that.

Councilmember Glockel - Refresh my memory, then on the three, the last time we talked about that we didn't eliminate the third body because we wanted to wait and see how it was going to work out and that person was still in some other department. Does that sound familiar?

Lee Ann Bunselmeyer, Finance Director - That was two years ago with the fleet. That was eliminated in this budget that we proposed that we were working in. That was out of the 2015 budget year and we eliminated it in 2016.

Councilmember Glockel - So of the monies you are talking about, the encumbered monies that we discussed several months ago about possibly for Lake Sharon, it doesn't affect any of those issues?

Lee Ann Bunselmeyer, Finance Director - No Sir. Those are all came out of restricted funds.

Councilmember Glockel - And then during the police and fire meeting you were talking about some other funds that had excess in it that we might be able to use for different deals. Is that a third pot of money, if you will?

Lee Ann Bunselmeyer, Finance Director - We are talking about two things. As Joe mentioned, we don't commit ongoing expenditures unless you have ongoing revenues to support it. That is the \$600,000 that we did levy underneath the tax rate to be able to have that ongoing revenue because we didn't know what was going to happen with the fire.

Now, for the public safety facility we actually have funds that are above our policy target in our fund balance and those are funds that can be used for one time purposes because once they are spent, that money is gone. From that we have about a million dollars that can be spent on one time expenditures. Let's say we spent all million dollars you would still meet your 20% obligation of your general fund policy target. Yes there is money we have obviously received from tax rates and sales tax that they are sitting in your fund balance that can be used for one time purposes and you also have some ongoing revenues that have capacity within your tax rate for ongoing expenditures.

Mayor Heidemann - We had around \$680,000 then added the three firemen which is about \$220,000. If I understand it correctly, our current fire contract allows us to go back and recoup some of that \$220,000. Is that correct?

Lee Ann Bunselmeyer, Finance Director - They were included in the figures that we negotiated the contract with. Yes, they are paying for those three firemen.

Mayor Heidemann - We didn't have the people on staff at that time. Did we charge them for it at that time? I thought we had to wait until we actually had them on staff.

Lee Ann Bunselmeyer, Finance Director - No sir. The total amount was put into the figures for the contract and we also had a clause in the contract that said they would get a credit until those individuals were hired.

Mayor Heidemann - So, in our fire contract we are collecting for those three people?

Lee Ann Bunselmeyer, Finance Director - Yes. Absolutely.

Mayor Heidemann - Until then, if we go out and do this increase for fire and police - police being excluded to this - then the portion that would go to fire then that would be the citizens of Corinth would have to underwrite that cost, we cannot pass any of that onto the fire contract.

Lee Ann Bunselmeyer, Finance Director - Correct.

Councilmember Harrison - It's not only police and fire, there are other employees that are being affected also, right?

Bob Hart, City Manager - Yes, Sir. And that is included in there. Principally, Public Works.

Councilmember Harrison - It is anybody that is out of the range basically? So, it is more than that.

Bob Hart, City Manager - Yes, Sir.

Councilmember Burke - It looks like if we got to \$600,000 of sales tax revenue per capita, we would be equivalent to Denton or Lewisville. We have to be per capita because I would think that our services are proportional and that is what we are talking about - paying for people that provide the services. It is not like we have to get to \$3.8 million dollars. To be equivalent we need to be at about \$600,000. It's not like we have this huge gap we need to fill.

Councilmember Burke - Such as an HEB or probably one thing like that. If you think about how we are getting that, I cannot tell you. If we get one major retailer, then we will probably get there. We are probably going to get something like that in the next two to three years.

Mayor Heidemann - Any more questions on compensation?

Councilmember Harrison - When you sent through the agenda items, I had a question on the public hearing Item #2 regarding Texas Health Resources. I don't know if this question is for the attorney or you, Mr. Hart. If we go out in a regular session and we have certain questions, are there certain questions that we should not ask pertaining to their tax whether property is taxable or not? Are they tax exempt? Are there questions that we can ask or shouldn't ask? I'm trying to look for some guidance on what I should ask them.

Mack Reinwand City Attorney - We can talk about this further in Executive Session.

Mayor Heidemann - Fred, could you give us a quick history on why we are doing this tonight?

Fred Gibbs, Planning and Development Director - That project was approved back in the mid 2000s. We used to be under the Business Overlay District and the Town Center District. The AC (The Acute Care Facility) came in, we did a rezone, zoned it, added that specific type of hospital care on that tract and when we amended the UDC and all the hospital zoning, in the Overlay District went away. They were what we call a legal nonconforming use, which they were there. Whenever this particular type of hospital, which we classify as chronic care hospital, wanted to come in and have that use in that building, we had to amend the underlying planned development that was established back in the late 90s early 2000s to include this type of hospital and actually the other type of hospital.

Councilmember Burke - Is there a way we can do this - if the property changed hands they would no longer be able to do this use? In other words, THR is the quality operator, but there are people who operate those kinds of facilities that I might not think are. Is there a way to do some kind of special use permit or something else? So if it were to sell or transfer ownership we wouldn't be stuck with that use as a matter of right?

Mack Reinwand City Attorney - Changing zoning whether you do it now or in the future, it has to go through a certain process. The problem legally with putting any type of automatic expiration upon change of ownership is you haven't gone through that P&Z and Council Process to change the zoning. It doesn't depend on who's in there to make the zoning changes. It matters whether you take it through the process to change the zoning. What you could do is put conditions on it - this is planned development - so if you feel like there are conditions that would keep a certain level of service there you can consider some type of conditions that would go on the property that may be able to keep it at some higher level of service provider. I'm not sure what they are, but it is something you could think through.

Councilmember Burke - If we voted this down, is there a different route we can take to be able to use the property this way that would be specific only to THR?

Mack Reinwand City Attorney -. No. They would not, by right, be allowed to go in there and do what they are planning to do.

Councilmember Burke - That's not what I mean. In other words, is there a different request they can make upon the city i.e., we want to be able to do this use, but we are going to use this other vehicle; special use permit or something else to accomplish the same thing without a zoning change.

Mack Reinwand City Attorney - No. There is really not.

Councilmember Garber - In relation to that, I think what Sam was asking was actually a really good question. I'm curious to take it one step further. I think back to Sam's first question was if one thinks that Texas Health Resources is an amazing operator and we think that they are awesome the zoning changes and then Texas Health sells it to somebody else and this is

major problem for the City of Corinth maybe. Maybe this is a really unscrupulous mental health facility type thing. There is nothing once that zoning is done that is a done deal for that property.

Mack Reinwand, City Attorney - Yes. Zoning runs with the land and properties can transfer and are subject to the same zoning. You would really have to look at some other options whether it's poor conditions, standards for operation or if it gets to be a real problem you have to look at nuisance or whatever type of approach you want to take if it is a problem operator.

Mayor Heidemann - What we are talking about tonight is just the property that we are rezoning. The use that goes on in there as long as it is within that zoning they can put whatever they want in there. Is that correct?

Mack Reinwand City Attorney - Right. Commercial zoning with an allowed hospital use. It wouldn't matter who the actual operator or owner is once the planned development is in place.

Fred Gibbs, Planning and Development Director - The PD is a pretty large PD so it covers not only the hospital, but properties adjacent to it. We are only rezoning that hospital piece and not the rest of the PD. So the rest of the PD won't be able to have these types of uses. Just the hospital site.

Councilmember Harrison - Will any other piece of property in the City of Corinth be able to come back and based off of this action we've taken here to come back in and request the same action on a different use property.

Fred Gibbs, Planning and Development Director - Right now we only allow hospitals by SUP currently. I think your unique situation here is you have an existing building that was a hospital. I think that is a little bit different scenario when you are looking at taking down another piece of property that is vacant that you want to build a new hospital.

Councilmember Harrison - So they can put a hospital on that piece of property. My concern is I don't want to deprive them the ability of putting another hospital there. It's a different type of hospital.

Fred Gibbs, Planning and Development Director - The way the ordinance is drafted, it covers all types of hospitals now. If your typical common hospital that everybody is familiar with that can go there just as easy as what is going in there.

Councilmember Harrison - Is that ordinance only for that piece of property or does it put a use anywhere else in the city?

Fred Gibbs, Planning and Development Director - The ordinance is just for that piece of property and all other hospitals are allowed by SUP the same definition we are using for this tonight.

Councilmember Harrison - The first application when we put the hospital there, I asked the question then, what it was going to do to the response time for paramedics and ambulance and the answer was maybe one or two a day or one or two a week. It was supposed to be they were going to use private service and it ended up where we are at. I'm not saying we are going to stop going and make responses, if they call, we are going to respond, I would assume. I'd like a little in advance what is going to happen to us.

2. Discussion on Land Use Assumptions, Water, Wastewater, and Roadway Capital Improvements Plans, and the Water, Wastewater and Roadway Impact Fees.

Bob Hart, City Manager - I will start this and then get Fred to weigh in here. The recommendations that you see here in the cover memo are the recommendations based on all of our conversations. That is the first point I want to make. The water, I think, is a straight forward issue. The wastewater, we had a little deviation with, from what you talked about earlier, is we kept the spread between the east and the west basins real tight. It is still within \$229. The reason for doing that is you don't want to start sending some pricing signals for housing out in the community and let that gap get real big. That could distort some of the pricing that is going on. We maintained the gap that was currently existing. We used the same methodology there. That is a little bit of a change. The other was on the roadway impact fees. We used a standard number for residential that I think was consistent with last time. The commercial is the recommendation that we are making now and that I would make is that we keep it down at the 30% level. You can cheat it up to about 31% or 32%, but where we are basically maintaining where it is currently at the \$18,000 range. The reason for doing that is I think you want to really pay attention to the cost that are coming in on commercial development. When you talked earlier about driving things to help sales tax, you want to make sure that you are competitive in that. When there are developments occurring along I-35 or in other major arterials that you want to have good competitive numbers. We looked at the region and I wanted to make sure that we came in at or level with what I would perceive to be the competition. Principally Denton. We are significantly higher than

Lewisville. That is what I would be concerned with. So the recommendation particularly on the roadway for commercial is to maintain basically where we are.

Councilmember Harrison - You are comfortable with what is in the recommendation?

Bob Hart, City Manager - Yes, Sir. That is reflective of my opinion.

Councilmember Harrison - Then the 30% on the commercial or the non-residential you are fine with that or we could jump it or whatever we want to do?

Bob Hart, City Manager - The recommendation is 30% because if the emphasis is to grow the sales tax and to do the development, then you don't want to send a signal there to send everybody to the neighbors because of development costs. In commercial development the biggest hurdle is explaining the roadway impact fee and the traffic impact fee. We always get strong pushback on that. I wouldn't get out of the market on that.

Councilmember Harrison - If that is the case, I am comfortable with the 30% maximum, but in the past people come in and say I don't want to pay that so we've kind of manipulated that around what was better for you. We are going to stick by this if we have established it.

Bob Hart, City Manager - We are in a competitive marketplace for those businesses and I think you always want to keep a little wiggle room in your hip pocket because it's a whole lot better to get a little bit less and get a business there, then it is to have the business just on the other side of the city limits. I think we want to have a good competitive number and hopefully we can stay with that. That would be the intention. But, I wouldn't let somebody leave over a few thousand dollars either.

Councilmember Harrison - They are going to come in and say I don't want to pay any of it. That's real life world.

Fred Gibbs, Planning and Development Director - I really do not have a lot more to add, but we do have a handful of slides we can roll with Council if you would like to see some more comparisons of how we shake out with the recommendations that were made or if you are Ok with presenting it tonight we can do that.

Councilmember Burke - I'm comfortable with how it is presented.

Councilmember Burke - Have we asked THR what certifications they hold, how many hospitals do they operate? Things of that sort. Would those be conditions we could impose?

Mack Reinwand City Attorney - Yes. They might be some things we can look at.

Councilmember Burke - Can you brainstorm?

Mack Reinwand City Attorney - I think what Sam is saying if you put these on as conditions if you are going to operate this type of facility you can have A, B, C and D, these types of licenses, etc.

Councilmember Burke - So we can control the operator in a legal way to some extent.

Fred Gibbs, Planning and Development Director - Is there still a way that the City Council can have an SUP process instead of the use chart within the PD we can make it hospitals or an SUP? If they wanted to come back?

Mack Reinwand City Attorney - Yes. I think we are thinking similar because I was just thinking through that.

Fred Gibbs, Planning and Development Director - Basically you make a recommendation that instead of allowing these by right all of the time, that in the use chart of that PD that it would have to be required by SUP.

Mayor Heidemann recessed into Closed Session at 6:20 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.

Section 551.071. (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551.

a. Texas Health Resource Behavioral Hospital.

Council met in closed session from 6:20 P.M. until 6:45 P.M.

Section 551.072. To deliberate the purchase, exchange, lease or value of real property:

Council met in closed session from 6:20 P.M. until 6:45 P.M.

a. Lake Sharon Project - Right-of-Way acquisitions.

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

Section 551.087. To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

After discussion of any matters in closed session, any final action or vote taken will be in public by the City Council. City Council shall have the right at any time to seek legal advice in Closed Session from its Attorney on any agenda item, whether posted for Closed Session or not.

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

Consider and take action regarding the purchase, exchange, lease or value of real property:

a. Lake Sharon Project - Right-of-Way acquisitions.

No action taken.

ADJOURN:

Mayor Heidemann adjourned the meeting at 6:46 P.M.

Meeting adjourned.

Approved by Council On _____ day of _____, 2017.

Kimberly Pence, City Secretary
City of Corinth, Texas

CONSENT ITEM 4.

City Council Regular and Workshop Session

Meeting Date: 04/20/2017

Title: March 2, 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 March 2, 2017 Regular Session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are minutes from the March 2, 2017 Regular Session. The minutes are in draft form and not considered official until formally approved by the City Council.

RECOMMENDATION

Staff recommends approval of the March 2, 2017 Regular Session Minutes.

Attachments

Minutes

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

On this the 2nd day of March, 2017 the City Council of the City of Corinth, Texas met in a Regular Session at the Corinth City Hall at 7:00 PM, located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

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

Staff Members Present: Bob Hart, City Manager
Lee Ann Bunselmeyer, Finance Director
Fred Gibbs, Planning and Development Director
Mike Brownlee, City Engineer
Guadalupe Ruiz, Human Resources Director
Mariya Aguilar, Generalist
Debra Walthall, Chief of Police
Greg Wilkerson, Asst. Chief of Police
Curtis Birt, Fire Chief
Cody Collier, Public Works Director
Elaine Herzog, Business Manager
Mack Reinwand, City Attorney
Kimberly Pence, City Secretary
Jason Alexander, Economic Development Director
Shea Rodgers, Technology Services Manager

CALL TO ORDER:

***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:

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

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 Comments were made.

1. **PUBLIC HEARING** (continued from February 2, 2017): TO HEAR PUBLIC OPINION REGARDING THE AMENDMENT OF LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLANS, AND ASSOCIATED IMPACT FEES FOR WATER, AND WASTEWATER AND ROADWAY CAPITAL IMPROVEMENTS.

Fred Gibbs, Planning and Development Director - A public hearing was opened at the regular meeting of the City Council on February 2, 2017 to receive input on the adoption of the 2016 Land Use Assumptions, Water, Wastewater and Roadway Impact Fee reports. This public hearing is a continuance of the previously opened public hearing.

The reports provide a detailed discussion of the land use assumptions and capital improvements plan under which roadway, water and wastewater impact fees may be imposed for new development. Any member of the public has the right to appear at the hearing and present evidence for or against the land use assumptions and the capital improvements plan.

Mayor Heidemann closed the Public Hearing at 7:06 P.M.

BUSINESS: Consider and discuss the amendment of land use assumptions, capitals improvements plans, and associated impact fees for water, wastewater and roadway capital improvements.

Fred Gibbs, Planning and Development Director - In order to move forward the Council will need to act on the reports of the water/wastewater and roadway impact fee. This is the business item that will cover that and later in the agenda we will actually adopt the water/wastewater Ordinance and the Roadway Impact Fee Ordinance.

No Action was taken.

2. **PUBLIC HEARING:** To hear public opinion regarding a request from the property owner and applicant, Ramona Osburn, Senior Vice President at Texas Health Resources Behavioral Health, for a zoning change through an ordinance amending the Comprehensive Zoning Ordinance being a part of the Unified Development Code, Ordinance No. 13-05-02-08, as amended, and a portion of Planned Development Ordinance No. 99-03-18-05, as amended, by amending the zoning to Planned Development C-2 Commercial District and adding "Hospital" as a Permitted Use on Lot 1, Block A, Corinth Medical Center Addition being 5.00 acres in the City of Corinth, Denton County, Texas.

Fred Gibbs, Planning and Development Director - what is being proposed tonight is adding the Hospital use as part of the existing Planned Development 21.

With the approval of the Unified Development Code in May 2013 the Business Overlay District which included the Town Center Sub-district was eliminated from the City's Comprehensive Zoning Ordinance. At that time the Long Term Acute Care Hospital at 3305 Corinth Parkway was a legal non-conforming use. In 2016 after the LTAC Hospital vacated the premises, Texas Health Resources purchased the facility. Texas Health Resources submitted a building permit application to renovate the existing structure located on the north side of Corinth Parkway across from City Hall. In the process of reviewing applications for building permits it is normal procedure to verify that the zoning is in place for the

planned tenants is appropriate. During discussions between the building official, planners and the City Attorney, it was realized that the current zoning did not allow for a hospital. At this time, Texas Health Resources is requesting to amend the Planned Development to Planned Development C-2 Commercial District. Included in this request are uses allowed in the C-2 Commercial District as well as hospitals as defined below:

HOSPITAL, ACUTE CARE: An institution where sick or injured patients are given medical or surgical treatment intended to restore them to health and an active life, and which is licensed by the State of Texas

HOSPITAL, CHRONIC CARE: An institution where those persons suffering from illness, injury, deformity, deficiency or age are given care and treatment on a prolonged or permanent basis, and which is licensed by the State of Texas.

A Letter of Intent from Texas Health Resources describes re-opening the facility to provide the care for patients in need of psychiatric and substance abuse needs within both Denton and Collin counties. The hospital intends to employ board certified physicians, registered nurses who specialize in psychiatric services, licensed professional counselors and social workers, as well as auxiliary staff including mental health associates, food services and pharmaceutical to meet needs of their patients. In addition, Texas Health Behavioral Health Hospital Corinth will serve the students of NCTC, TWU and UNT for clinical rotation whereby nursing, counselor and social work students achieve required experience through direct patient care opportunities within the facility.

The ordinance attached has offered a PD Design Statement which describes the intent of the proposed Planned Development as well as a Concept Design Map. The site changes proposed will eliminate the oxygen tank and enclosure and will include an outdoor Respite Courtyard for patient and staff use with a maximum size of 18' x 28'. The courtyard will be located with access to the dining hall and controlled by an egress gate. The perimeter wall for the courtyard will be minimum 10' in height providing engineered plans and constructed of masonry, steel and wood. Approval of this minor site change would be allowed administratively by this ordinance.

This property is zoned Planned Development with a proposed amendment Planned Development C-2 Commercial District and adding hospitals as defined above and represented in the proposed ordinance.

The Comprehensive Plan Future Land Use Map shows this areas designation to be Mixed Use with Residential and Multi-Modal Transit Center.

The Planning and Zoning Commission met on January 23, 2017. The Commission recommended unanimously (5-0) to approve the zoning change and ordinance as presented. Staff recommends approval of the zoning change and the ordinance as presented.

Tammy Testa, Corgan, THR - I am part of the design team and here representing the Texas Health Resources Behavior Health facility and I have been working with them to look at renovation of this existing long term care building. There is no intent to modify the exterior of the building. We are making use of the existing 60 bed spaces and the support spaces within that building to support a new use for behavioral health.

The services are going to encompass both in-patient care that would be the 60 beds that would be spread over geriatric, adolescence, adult and pediatric populations. On the lower level there would also be there will be a day or out-patient partial hospitalization program that runs from 8:00 am to 5:00 pm. Our goal is to provide a safe environment, comfortable, encouragement, independent even though it is a restricted environment people need to have some feeling of control and still want it to be inviting and a people

place where people are working on getting healthy.

I think that Denton County is an area here that is going to be well supported. The portion of the building that is closest to Corinth Parkway is where the partial hospitalization program will be operating. Those folks are there for daytime activity. Those patients are going to come and spend a few hours and leave. There is a pharmacy and lab that is also located there as well. The second level of the building is where we will have both the geriatrics and adult units, those beds are supported by two stations that face each other and become the central control for visitors and for patients. There will be a separation of those populations. The third level is where pediatric and adolescence beds will be with a similar arrangement. The nurse stations and central control point off the elevators is going to separate those populations.

Councilmember Johnson - on your level 1, your pharmacy, is that going to be a pharmacy opened to all of your patients or only in-patients or out-patient basis?

Tammy Testa, Corgan, THR - that is not a retail pharmacy and supports all of the in-patients in the building.

Councilmember Johnson - my next question relates to the psychiatric care, are there going to be any patients that are remanded there by the County or any particular reason? If they are picked up by a uniformed police officer will they be allowed to go there or will they go first to Denton Regional and let MHMR assess them and decide what happens with them from there?

Andrew Carlton, Texas Health Resources - that is correct that is what happens and if they are in need of psychiatric care then MHMR will come out and assess that.

Councilmember Johnson - is there going to be a secure area for the transfer of that patient from the police to your custody without being out in the general public area so if there was an escape we would not have an issue with that?

Andrew Carlton, Texas Health Resources - yes there will be a secure area. When you come into the intake area which will be in the downstairs area then they would be escorted up to whatever floor they are supposed to be at.

Councilmember Johnson - so there is a secure area that the officers can pull into and close the door behind so that if there is a problem with this patient that they are not released into the neighborhood?

Tammy Testa, Corgan, THR - I think a patient would and especially in police custody would arrive likely at the front door because that is where we are trying to encourage all entrance, there is a control desk there and registration of some sort would be happening there. They would be escorted to those elevators that would essentially lead you to what is a secure control area.

Councilmember Johnson - the reason I ask these questions is because in my prior life I was a police officer and Parkland was on my route and Parkland to this day does not a secure facility where they can bring in psychiatric patients that are violent and secure them in a manner of such they can get them from the vehicle into the hospital. I have been in situations where some of these folks that did get lose one or another and caused some serious damage and injury to people in general. My concern is the transfer that patient to this facility and how we are going to the patient in the building and keep him secure once we get him there. What is your plan?

Andrew Carlton, Texas Health Resources - come in through the front door and brought up to a secure area depending on which floor you are going to then at that point they would not be able to have access to be able to go back downstairs.

Tammy Testa, Corgan, THR - I think what you are describing is a Sally Port where a vehicle would drive into it and it would be gated at that time and that has not been a part of our program up to now.

Councilmember Harrison - how are your patients going to be transported either in or out if you transport them to another facility? What is the process for that? These patients are coming from where?

Andrew Carlton, Texas Health Resources - the patients are coming from the surrounding community. Primarily the majority of the patients in my experience has mostly been voluntary so they will drive themselves to the hospital. If there is someone that has to come in from an emergency department they are brought over by ambulance and go through the intake process.

Councilmember Burke - how many facilities does THR run?

Andrew Carlton, Texas Health Resources - they run sixteen (16).

Councilmember Burke - what licenses and accreditations you hold?

Andrew Carlton, Texas Health Resources - we would be getting a joint Commission Certification/Accreditation and we would be going through CMS Certification and survey as well as state surveys.

Councilmember Burke - what do you expect your' voluntary versus involuntary patient mix to be?

Andrew Carlton, Texas Health Resources - in my previous life I would say anywhere between 90% voluntary and 10% involuntary. That could fluctuate depending on the needs of the community.

Councilmember Burke - where is your prior experience?

Andrew Carlton, Texas Health Resources - I was the CEO in Sundance Hospital in Arlington as well as the COO in Carrollton Springs Hospital in Carrollton.

Councilmember Johnson - tell me about your daytime out-patient program?

Andrew Carlton, Texas Health Resources - they are receiving therapy as well as physician follow-up. The hours are Monday through Friday from 8:00 am to 5:00 pm. They will meet with the therapists going to two different groups during that period of time as well as lunch and meeting with the physician two or three times a week to follow up with their medications.

Mayor Heidemann opened the Public Hearing at 7:28 P.M. Closed the Public Hearing at 7:30 P.M.

Roy Grisham, 3905 Emerald Park Drive - is this the highest or the best use for us in the City of Corinth. We have two other facilities in Denton that has this particular use and do this all day. I see nothing to this that would add property value to the homeowners and the safety concerns that we have and would ask that the Council vote against this.

BUSINESS: Consider and act on an ordinance amending the Comprehensive Zoning Ordinance being a part of the Unified Development Code, Ordinance No. 13-05-02-08, as amended, and a portion of Planned Development Ordinance No. 99-03-18-05, as amended, by amending the zoning to Planned Development C-2 Commercial District and adding "Hospital" as a Permitted Use on Lot 1, Block A, Corinth Medical Center Addition being 5.00 acres in the City of Corinth, Denton County, Texas.

MOTION made by Council Member Scott Garber to deny the Ordinance amending the Comprehensive Zoning Ordinance being a part of the Unified Development Code, Ordinance No. 13-05-02-08, as amended, and a portion of Planned Development Ordinance No. 99-03-18-05, as amended, by amending the zoning to Planned Development C-2 Commercial District and adding “Hospital” as a Permitted Use on Lot 1, Block A, Corinth Medical Center Addition being 5.00 acres in the City of Corinth, Denton County, Texas. Seconded by Council Member Lowell Johnson

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel
Passed

SUPPLEMENT BUSINESS AGENDA:

- 2a. Hold a discussion and take action on the abandonment of a .436 acre platted right-of-way adjacent to Block 1, Lot 18, of the Pinnell Subdivision, located in the 3400 Block of FM 2181.

Bob Hart, City Manager - this item has been previously discussed. I think it does abandon a portion of the right-of-way but it does preserve easement to the lift station and also provides for access to the lift station and staff has recommended approval of this change.

MOTION made by Council Member Lowell Johnson to approve the abandonment of the described property. Seconded by Mayor Pro-Tem Joe Harrison

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell Johnson, Mayor Pro-Tem Joe Harrison, Council Member Don Glockel
Passed

3. Consider and act on an Ordinance of the City of Corinth, Texas approving an amendment to the Fiscal Year 2016-2017 City of Corinth Budget and Annual Program of Services to provide for an Employee Compensation Plan Adjustment.

Bob Hart, City Manager - the recommendation is to amend the budget in order to fund the next item on the agenda. This particular item was initiated as part of the past year budget process and this completes that. Staff recommends that the adjustments be included in the budget. In order to do so funds are required and this particular amendment would cover that.

Councilmember Glockel - would like clarification on how many folks we are talking about from the general population?

Guadalupe Ruiz, Human Resource Director - we have 25 officers in the police department including crime control and 36 in the fire department. In the general government there is 21 employees.

Councilmember Glockel - how do they fit into this? Are all of them just coming in to the minimum? Where do they fit?

Guadalupe Ruiz, Human Resource Director - when it comes to police and fire they will be placed on a step plan. When it comes to the general government it is a little bit different and they are placed in a range and the only adjustments for eligible employees is to get them to the minimum of the range.

Councilmember Glockel - there was one other clause talking about officers that if they were receiving a step and they were close to the maximum and the amount of the step was greater than what the maximum was then there was some verbiage about that extra money would be given as a bonus?

Guadalupe Ruiz, Human Resource Director - no. we have no bonus. When we talk about any salaries, bonus is something that is not allowed for the city to consider.

Councilmember Glockel - I'm sorry I call it a bonus but it is a lump sum.

Guadalupe Ruiz, Human Resource Director - we are not considering a lump sum. In years prior people that were at the max and they were not eligible for an increase in the past the City has approved to provide to those employees a lump sum. However, this time we are not. The only thing that we are considering is a salary adjustment for those eligible employees.

MOTION made by Council Member Lowell Johnson to approve the Ordinance amending Ordinance No. 16-09-15-32 for the Fiscal Year 2016-2017 City of Corinth budget and annual program of services to provide for expenditures of funds to pay for the employee compensation plan adjustment and providing an effective date of March 6, 2017. Seconded by Council Member Scott Garber.

Councilmember Glockel - on page 147 in our packet, I think that is where I got confused about this step. It says "where an employee's pay is close to the maximum range the employee will receive a base pay increase to the maximum rate for the pay group for that job classification and any remaining COLA increase will be provided as a lump sum". Explain that to me please?

Guadalupe Ruiz, Human Resource Director - this portion is anticipating that in the case there happened to be a Cost of Living Adjustment (COLA) in the future that this is how it is going to be done. This is a clause that we have in there.

Councilmember Glockel - so this particular paragraph has nothing to do with what we are talking about now?

Guadalupe Ruiz, Human Resource Director - correct.

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

Passed

4. Consider and act on a Resolution adopting 2017 Pay Schedules for General Government, Police and Fire Employees, and approving a Compensation Plan and providing an effective date.

Bob Hart, City Manager - this was the study that was considered during the last fiscal year and it was delayed until tonight's meeting for your consideration. I have had the opportunity to review this and discuss it with the staff and we are bringing this to you as a recommendation to fund the salary increases to market for police, fire and general government.

Ed Hardy, 3501 Buckingham Drive - I support and urge the Council to approve this agenda item. I have worked in City Government for 41 years and I can assure you to have and retain good employees must have a good salary, benefits and compensation package that is very

competitive with the surrounding areas. There is no greater asset than the City to have good employees and approving this item is one way to show the employees that they are important and appreciated.

Tom Weller, 1405 Park Place - I am a volunteer with the Corinth Police Department for about 2 year now and it is an honor to work with these highly dedicated officers. I have seen officers leaving this City to go elsewhere for higher pay. If we want to keep what we have here let's pay for their services in this community. If not, we will lose more officers. They are very dedicated individuals and this City is growing and we want to keep these officers.

Rick Troutman, 1502 Pine Hills Lane - my wife and I moved to this community almost 20 years ago. My wife was Mayor here many years ago and I was the Chairman of the Economic Development Corporation. I know a tuff decision when it has to be made. Where is our City going and how far is it going to go? You have a limited amount of money and that is it. Recently as you all know we had people retire, friends of mine and people that were community people that were not only police officers but lived in the community and supported the community. I believe some of them from conversations I had with them would still be here if it wasn't for the fact they were not provided a salary increase. I don't want this City becoming a training ground for police officers. My concern and consideration for my friends that wear the uniform every single day is consider how we are going to increase their pay so we can keep these people around and attract good quality officers.

MOTION made by Council Member Lowell Johnson to approve the Resolution adopting 2017 Pay Schedules for General Government, Police and Fire Employees, and approving a Compensation Plan and providing an effective date of March 6, 2017. Seconded by Council Member Scott Garber.

Councilmember Johnson - most people tell first responders they would not have their jobs for a million dollars. I've been there I know, people used to tell me that all the time. I spent 30 years in Dallas and every day I heard that. Keeping that in mind we pay them so little for their daily labors that most of them have to maintain two or three jobs to support a family. There are not many in our society who would do what those guys do police, fire and even the public works guys nobody would even step up and do those kinds of jobs. When we were talking about public works, a difference of 50 cents an hour to them is like a million dollars but they will jump for 50 cents to another city we lose that experience and we have to train again the same way with the police and fire.

It really comes down to how much you support the police department, how much does your public support the police department and where that comes out oftentimes is the bottom line and the bottom line is what we send them home with every day. We have good benefits they have good equipment let's pay them like that too.

Councilmember Glockel - in July we looked at this same issue and we were not able to determine at that point how we could afford it. I am still very adamant about the 12 cities we used to compare ourselves. Out of the 12 cities, 6 of those generate up to \$3.9 million dollars per taxing quarter where we do right at \$254,000.00. It was difficult for us to find the monies but we were trying to figure out how we could do this pay for it and sustain it. I have asked a lot of questions and I certainly do not want to stop anyone from getting a raise we just had a difficult time trying to figure out how to fund it.

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

Passed

5. Consider and act on an Ordinance of the City of Corinth, Texas, amending Chapter 36 of the Corinth Code of Ordinance by adopting updated Land Use Assumptions, Water and Wastewater Impact Fee Reports, updated land use assumptions, updated water and wastewater Capital Improvements Plans, and amendments to the assessment of Impact Fees for water treatment distribution facilities and wastewater collection and Impact Fees amounts to be collected; amending Chapter 50 by deletion of Sections 50.50 – 50.55; providing for the repeal of all ordinances in conflict; providing a severability clause, and providing an effective date.

Bob Hart, City Manager - this is a recommendation following the public hearing earlier in the meeting. The recommendation from the staff is \$2,204 for a typical residential ¾ inch meter, following the AWWA standards on the meter size changes as they get larger. To maintain the differential spread between the east and the west wastewater basins. Wastewater Upper Trinity East =\$1,271 and the Wastewater Upper Trinity West =\$1,510 and again that is based on a residential unit equivalent.

MOTION made by Mayor Pro-Tem Joe Harrison to adopt the updated Land Use Assumptions, Capital Improvement Plan, and Impact Fees for water treatment and distribution and wastewater collection and adopt revisions to Chapter 36 of the City of Corinth Code of Ordinances as presented. Seconded by Council Member Lowell Johnson

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

Passed

6. Consider and act on an Ordinance of the City of Corinth, Texas, amending Chapter 36 of the Corinth Code of Ordinance by adopting updated Land Use Assumptions, Roadway Impact Fee Reports, updated land use assumptions, updated roadway Capital Improvements Plan, and amendments to the assessment of Impact Fees for roadway facilities and Impact Fees amounts to be collected; providing for the repeal of all ordinances in conflict; providing a severability clause, and providing an effective date.

Bob Hart, City Manager - this item was also related to the public hearing earlier in the meeting. The recommendation from the staff is a residential fee of \$2,000 and establish commercial and industrial fee at 30% of the cost recovery.

MOTION made by Council Member Don Glockel to approve the Ordinance amending Chapter 36 of the Corinth Code of Ordinance by setting the residential level at \$2,000 per single-family dwelling unit and 30% maximum for the commercial. Seconded by Mayor Pro-Tem Joe Harrison.

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

Passed

7. Accept Certification of City Secretary of Unopposed Status of Candidates and Consider Resolution repealing Resolution No. 17-02-02-01 Ordering and Calling a Joint/General Election for May 6, 2017.

MOTION made by Mayor Pro-Tem Joe Harrison to accept Certification of Unopposed Status of Candidate and approve the Resolution repealing Resolution 17-02-02-01, Ordering and Calling a Joint/General Election for May 6, 2017. Seconded by Council Member Don Glockel

AYE: Council Member Sam Burke, Council Member Scott Garber, Council Member Lowell

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 Garber - Councilmember Glockel referenced page 147 tonight in the packet and staff does an amazing job pulling together the digital versus the paper packet but there is no page 147 on the digital copy it is page 3 so if there is any way possible to cross reference those things so that it is quick and easy for us to find.

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.

There was no Closed Session.

Section 551.071. (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551.

Section 551.072. To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

Section 551.087. To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

After discussion of any matters in closed session, any final action or vote taken will be in public by the City Council. City Council shall have the right at any time to seek legal advice in Closed Session from its Attorney on any agenda item, whether posted for Closed Session or not.

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

ADJOURN:

Mayor Heidemann adjourned the meeting at 8:05 p.m.

AYES:

All

Meeting adjourned.

Approved by Council On _____ day of _____, 2017.

Kimberly Pence, City Secretary
City of Corinth, Texas

CONSENT ITEM 5.

City Council Regular and Workshop Session

Meeting Date: 04/20/2017

Title: March 16, 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 March 16, 2017 Regular Session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are minutes from the March 16, 2017 Regular Session. The minutes are in draft form and not considered official until formally approved by the City Council.

RECOMMENDATION

Staff recommends approval of the March 16, 2017 Regular Session Minutes.

Attachments

Minutes

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

On this the 16th day of March, 2017 the City Council of the City of Corinth, Texas met in a Regular Session at the Corinth City Hall at 7:00 PM, located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

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

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

***NOTICE IS HEREBY GIVEN** of a Regular Session of the Corinth City Council to be held at Corinth City Hall located at 3300 Corinth Parkway, Corinth, Texas. The agenda is as follows:

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE:

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

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

**PROCLAMATION:
The Prudential Spirit of Community Awards Honors Micah Pinson.**

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

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine and will be enacted in one motion. Should the Mayor, a Councilmember, or any citizen desire discussion of any Item that Item will be removed from the Consent Agenda and will be considered separately.

1. Consider and act on minutes from the January 12, 2017 Workshop Session.

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

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

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

MOTION CARRIED

CITIZENS COMMENTS

In accordance with the Open Meetings Act, Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes. Comments about any of the Council agenda items are appreciated by the Council and may be taken into consideration at this time or during that agenda item. Please complete a Public Input form if you desire to address the City Council. All remarks and questions addressed to the Council shall be addressed to the Council as a whole and not to any individual member thereof. Section 30.041B Code of Ordinance of the City of Corinth.

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

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

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

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

BUSINESS AGENDA

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

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

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

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

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

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

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

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

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

MOTION CARRIED

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

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

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

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

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

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

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

MOTION CARRIED

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

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

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

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

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

MOTION CARRIED

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

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

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

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

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

MOTION CARRIED

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

Councilmember Burke recused himself from discussion on item #11.

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

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

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

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

and let us come to the open hearing.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MOTION CARRIED

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

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

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

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

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

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

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

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

CLOSED SESSION

There was no Closed Session.

The City Council will convene in such executive or (closed session) to consider any matters regarding any of the above listed agenda items as well as the following matters pursuant to Chapter 551 of the Texas Government Code.

Section 551.071. (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551.

Section 551.072. To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

Section 551.087. To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect. After discussion of any matters in closed session, any final action or vote taken will be in public by the City Council. City Council shall have the right at any time to seek legal advice in Closed Session from its Attorney on any agenda item, whether posted for Closed Session or not.

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

ADJOURN:

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

AYES: All

Approved by Council on ____ day of _____, 2017.

Kimberly Pence, City Secretary
City of Corinth, Texas

City Council Regular and Workshop Session

Meeting Date: 04/20/2017
Title: Valencia Unified Sign Plan
Submitted For: Fred Gibbs, Director
Submitted By: Barbara Cabbage, Planning & Development Manager
City Manager Review: Approval: Bob Hart, City Manager

AGENDA ITEM

Consider and act on a Unified Sign Plan for Valencia Subdivision located on property legally described as a portion of Tract 8A situated in the BBB & CRR Survey, County Abstract 153 in the City of Corinth, Denton County, Texas. The location of Valencia Subdivision is on the north side of FM 2181 between 2301 and 2101 FM 2181.

AGENDA ITEM SUMMARY/BACKGROUND

APPROVAL PROCESS

Unified Sign Plans are considered by City Council.

AGENDA ITEM SUMMARY/BACKGROUND

First Texas Homes is the developer/builder of the Valencia Subdivision. The final plat for Valencia was approved in February 2016. Phase one of this development is made up of 86 residential lots. The zoning is “Planned Development Commercial and Single Family” which was approved by City Council October 17, 2013. At this time, civil infrastructure is close to completion and First Texas Homes’ is proposing its Unified Sign Plan for the Valencia Subdivision.

The plan shows two subdivision entry monument signs one at each drive into the subdivision. Both signs are located on Lot 11, Block B which is an open space lot owned by the HOA.

ZONING

Valencia Subdivision is the residential element of the “Planned Development Commercial and Single Family” development.

COMPREHENSIVE FUTURE LAND USE DESIGNATION

The Comprehensive Plan Future Land Use Map shows this area Low Density Residential and Retail.

FINANCIAL SUMMARY

No funding is required.

RECOMMENDATION

Staff recommends approval of the Unified Sign Plan as presented.

Attachments

Valencia Location Map

Sign Rendering Exhibit 1
Sign Placement Exhibit 2
Sign Dimensions Exhibit 3

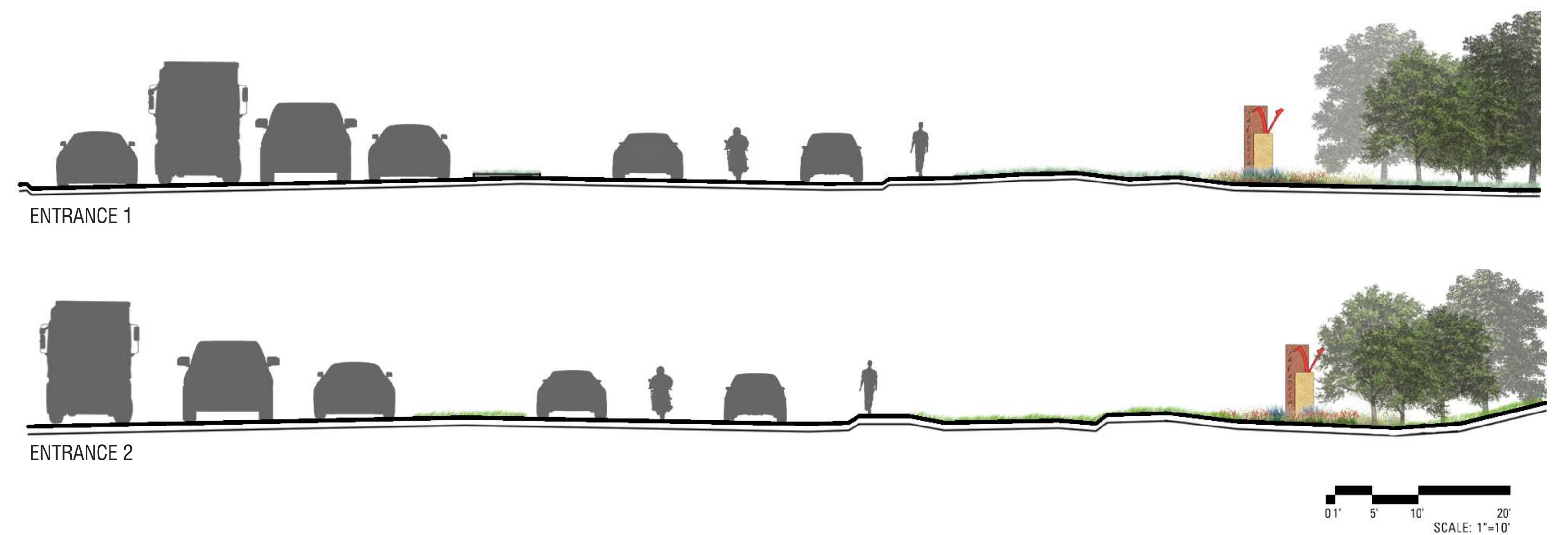


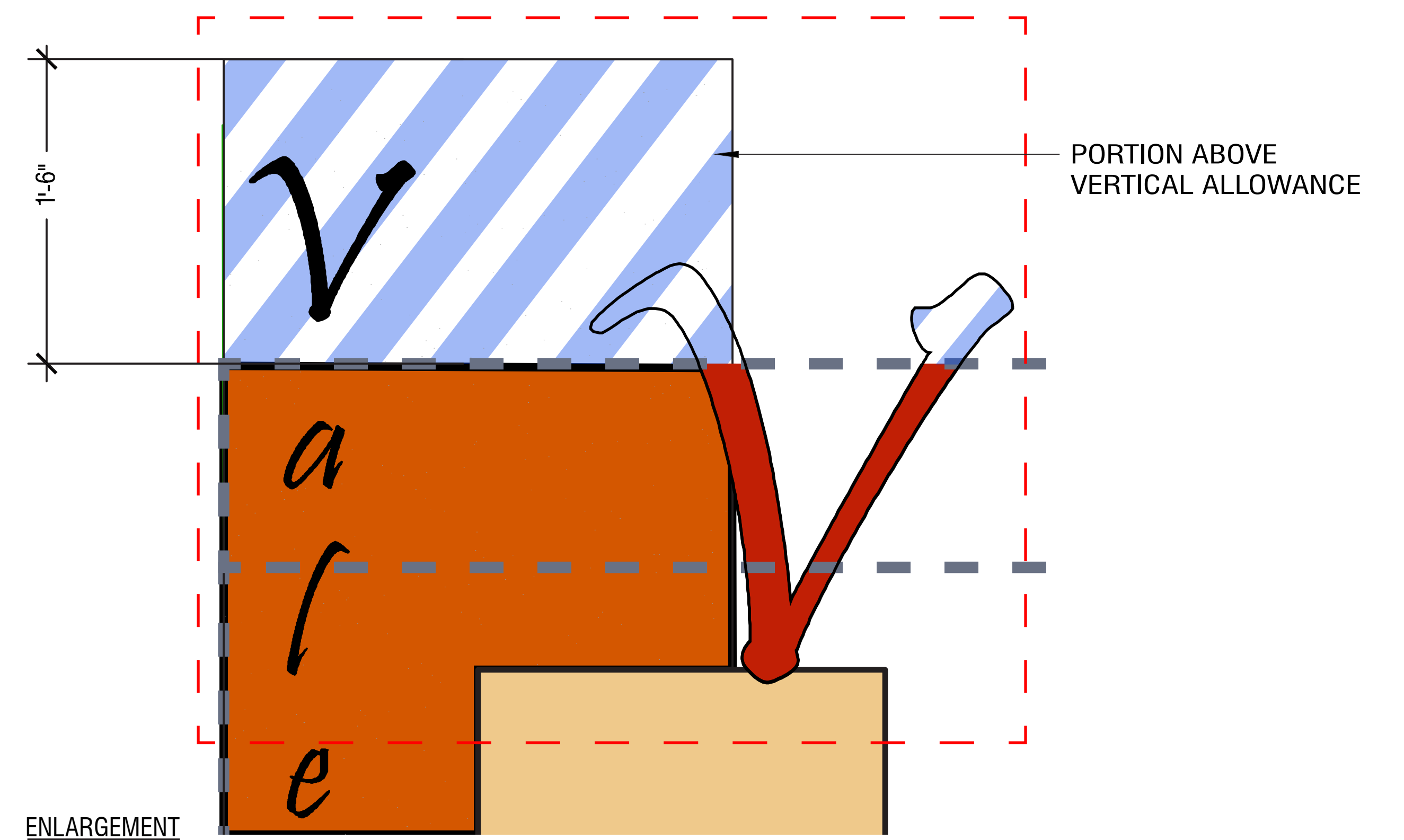
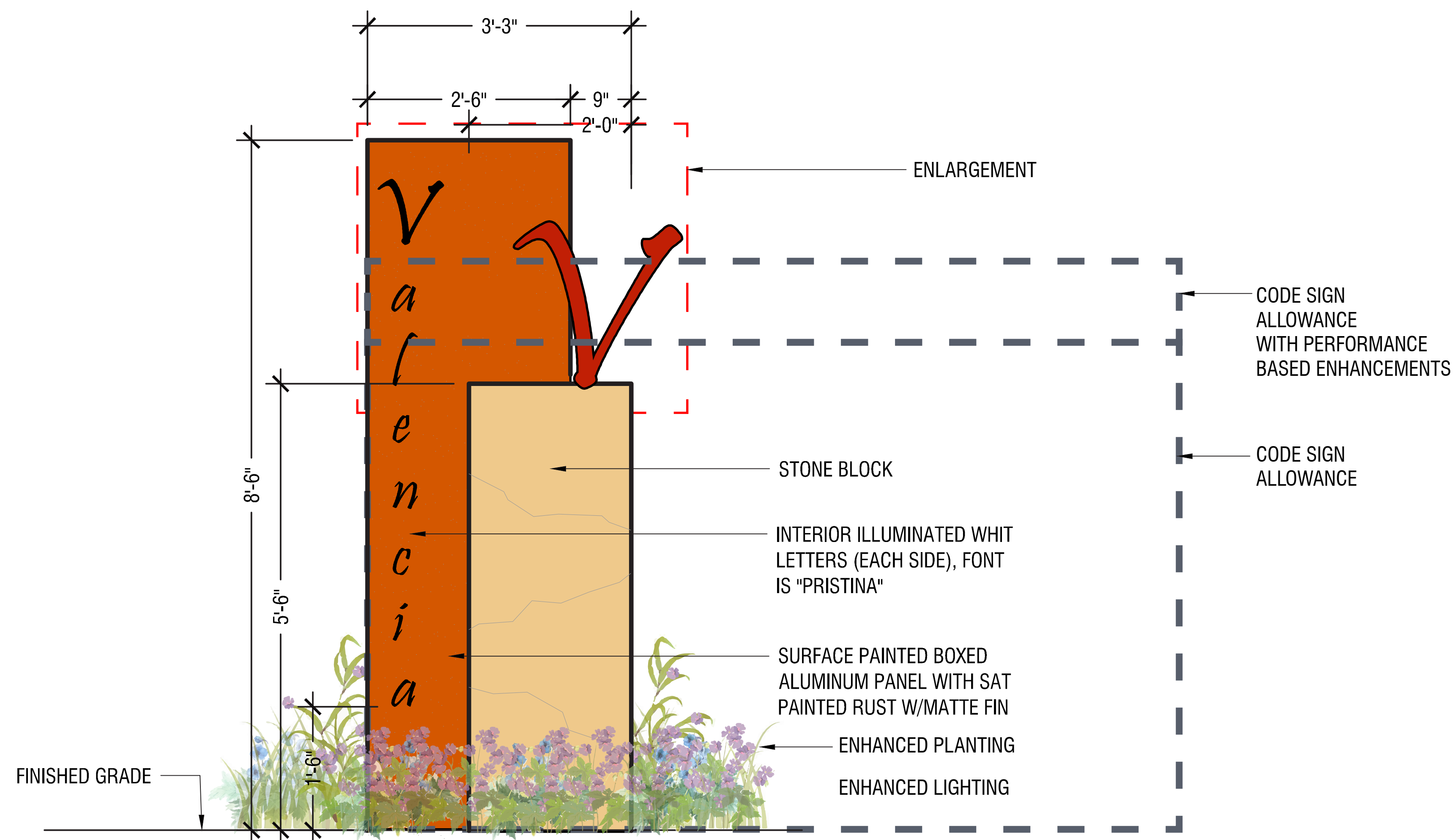
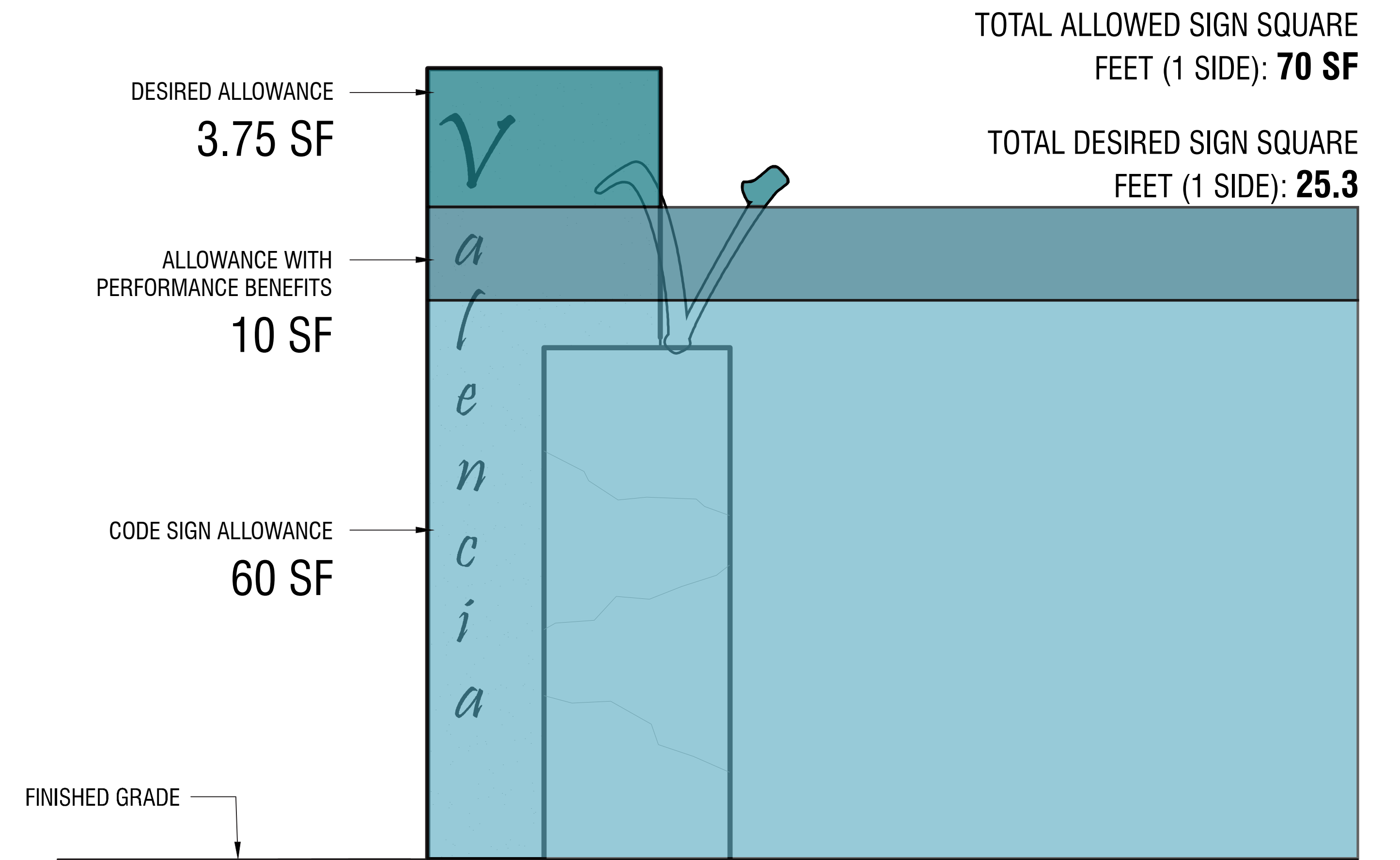
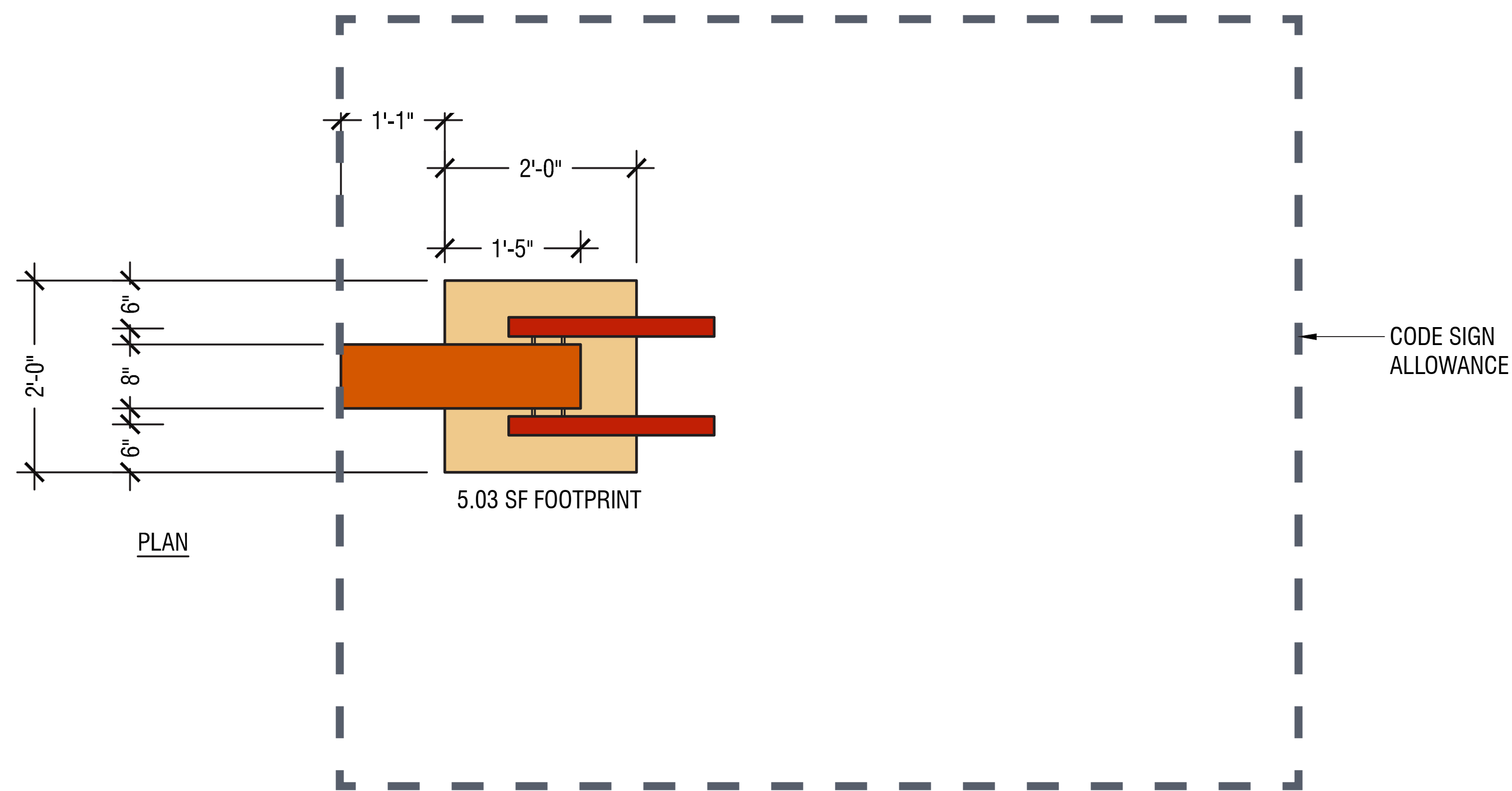
Valencia Site Location





SIGN RENDERING





BUSINESS ITEM 7.

City Council Regular and Workshop Session

Meeting Date: 04/20/2017
Title: Solid Waste Rate
Submitted For: Bob Hart, City Manager

Submitted By: Lee Ann Bunselmeyer,
Director

City Manager Review: Approval: Bob Hart, City Manager

AGENDA ITEM

Consider and act on an ordinance approving a rate increase for the collection of Solid Waste in the master fee schedule and providing an effective date.

AGENDA ITEM SUMMARY/BACKGROUND

On December 6, 2012 the City Council approved a five year contract with an option for three one-year renewals with Community Waste Disposal for solid waste collections. The contract included provisions that on April 1, 2014 or on April 1 of any year thereafter, Community Waste Disposal could request an annual market adjustment. The contract stipulates that the rate request be based upon the change in the Consumer Price Index (CPI) each March (U.S. City Average, All Urban Consumers, Not Seasonally Adjusted, All Items Less Food and Energy) from March 1 of the previous year.

On March 17, 2017 Community Waste Disposal submitted a request for a 2.1% market adjustment effective October 1, 2017. The table below reflects a sample of the adjustment for Corinth's customer base. The rates below include the City's franchise fee of 7.5%, which equates to \$0.66 for residential and \$0.58 for Senior Residential. A comprehensive list of solid waste collection rates is included in the ordinance attached.

Rate Description	Current Rate	Proposed Rate	Increase
Residential Rate	\$9.35	\$9.55	\$0.20
Senior Residential Rate	\$8.23	\$8.41	\$0.18

RECOMMENDATION

Staff recommends approving the Solid Waste Rates, as presented by Community Waste Disposal and providing an effective date of October 1, 2017.

Attachments

CWD Rate Change

ORDINANCE NO. 17-04-20-

AN ORDINANCE OF THE CITY OF CORINTH AMENDING SECTION 52.07 OF THE CORINTH CODE OF ORDINANCES RELATING TO CHARGES FOR CERTAIN REFUSE AND RECYCLING SERVICES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Corinth is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, on March 17, 2017, Community Waste Disposal requested that certain rates be increased; and

WHEREAS, the City Council of the City of Corinth deems it necessary to amend Section 52.07 of the Corinth Code of Ordinances to amend the rates for collection and disposition of certain garbage and refuse within the City; **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:**

SECTION 1.

That subsection (A) of Section 52.07 of the Code of Ordinances of the City of Corinth, Texas is hereby amended to read as follows:

“§ 52.07 GARBAGE COLLECTION FEES.

(A) Fees for the collection of garbage and recycling from a residential unit are as follows:

<i>Collection</i>	<i>Fee</i>
Weekly pickup/recycling/on demand household hazardous waste pickup.	\$9.55
Weekly pickup/recycling (Senior Citizens - 65 years)	\$8.41

SECTION 2.

That subsections (D)(3) and (D)(5) of Section 52.07 of the Code of Ordinances of the City of Corinth, Texas are hereby amended to read as follows:

“§ 52.07 GARBAGE COLLECTION FEES.

...
(D)
...

(3) Front load container rates:

A fee of \$6.08 per pickup will be charged for gates, locks and casters:

<u>Size/Pickup</u>	<u>1xWeek</u>	<u>2xWeek</u>	<u>3xWeek</u>	<u>4xWeek</u>	<u>5xWeek</u>	<u>6xWeek</u>	<u>Extra</u>
2 Cu Yd	50.38	96.96	131.63	158.04	198.79	265.45	37.80
3 Cu Yd	55.68	106.76	143.06	170.33	223.22	286.18	38.91
4 Cu Yd	80.93	157.36	216.89	279.77	339.58	404.95	40.01
6 Cu Yd	101.93	164.58	230.87	304.06	359.36	447.37	42.24
8 Cu Yd	114.57	208.05	287.45	374.77	464.39	553.78	43.36

...

(5) Compactors: *

6 Cubic Yard Per Haul (Including Disposal)	64.29
8 Cubic Yard Per Haul (Including Disposal)	79.59
30 Cubic Yard Per Haul (Including Disposal)	281.61
35 Cubic Yard Per Haul (Including Disposal)	281.61
42 Cubic Yard Per Haul (Including Disposal)	281.61

* These rates include disposal fees for a haul of four tons. There is an additional fee of \$31.76 per ton for loads exceeding four tons. Loads that exceed 54,000 lbs. will be charged an additional \$79.40 for each ton in excess of 54,000 pounds.”

**SECTION 3.
CUMULATIVE CLAUSE**

This ordinance shall be cumulative of all provisions of ordinances of the City of Corinth, Texas, relating to garbage except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 4.
SAVINGS CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the inclusion in this ordinance of any such unconstitutional phrase, clause, sentence paragraph or section.

**SECTION 5.
EFFECTIVE DATE**

This ordinance shall become effective October 1, 2017.

PASSED AND APPROVED ON THIS 20st DAY OF APRIL, 2017.

Bill Heidemann, Mayor

ATTEST:

Kimberly Pence, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Wm. Andrew Messer, City Attorney