



CITY COUNCIL WORKSHOP AND REGULAR SESSION - MINUTES

Thursday, February 16, 2023 at 5:45 PM

City Hall | 3300 Corinth Parkway

View Meeting: [February 16, 2023](#)

STATE OF TEXAS COUNTY OF DENTON CITY OF CORINTH

On this, the 16th day of February 2023, the City Council of the City of Corinth, Texas, met in Workshop & Regular Session at the Corinth City Hall at 5:45 P.M., located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place, and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

Council Members Present:

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

Staff Members Present:

Scott Campbell, City Manager
Lana Wylie, City Secretary
Haley Koehler, Sr. Administrative Assistant
Patricia Adams, City Attorney
Jerry Garner, Police Chief
Chad Thiessen, Fire Chief
Lee Ann Bunselmeyer, Director of Finance & Strategic Services
Glenn Barker, Director of Public Works
John Webb, Director of Development Services
Elise Back, Director of Economic Development
Michelle Mixell, Planning Manager
Shea Rodgers, Chief Technology Officer
Cesar Balderas, Technology Services Specialist III
Derek Denham, Technology Services Specialist
Lance Stacy, City Marshal

CALL TO ORDER

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

WORKSHOP AGENDA

1. Hold a discussion on future detention options and warrant collection activities for the City of Corinth.
The item was presented and discussed.
2. Discuss items on the Regular Session Agenda, including the consideration of Executive Session items.
Item 7 was discussed.

ADJOURN WORKSHOP

Mayor Heidemann adjourned the Workshop Session at 6:26 P.M. and immediately convened into Executive Session.

EXECUTIVE SESSION**

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

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

- a. Unauthorized third-party use of City-owned property and authorization of eviction proceedings.
- b. Utility appeals.

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

- a. Project Lynchburg Creek.

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

- a. Planning & Zoning Commission.
- b. Receive Recommendations of City Manager Regarding Classifications of Staff Positions and Departmental Structure.

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

- a. Project Agora.
- b. Assignment and Assumption of the Chapter 380 Economic Development Incentive Agreement and Consent – Realty Capital.

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

Mayor Heidemann recessed the Executive Session at 6:59 P.M.

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

Mayor Heidemann called the Regular Session Meeting to order at 7:03 P.M.

CITIZENS COMMENTS

Please limit your comments to three minutes. Comments about any of the Council agenda items are appreciated by the Council and may be taken into consideration at this time or during that agenda item. Council is prohibited from acting on or discussing items brought before them at this time.

To review Comments, please use the Audio/Video link provided.

Earline Jackson, 2107 Bowie Lane, Corinth

CONSENT AGENDA

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

1. Consider and act on minutes from the January 19, 2023, City Council Meeting.
2. Consider and act on the purchase of five (5) automatic smart hydrant flushers through Core & Main LP in an amount not to exceed \$123,050 for fiscal year 2022-23 and authorize the City Manager to execute the necessary documents.
3. Consider and act on an Ordinance of the City of Corinth, Texas, calling for a Joint General Election with Denton County to be held on Saturday, May 6, 2023, for the purpose of electing a Mayor, one Council Member for Place 2, and Place 5 to serve as members of the Corinth City Council; and authorize the City Manager to execute the necessary documents to effectuate the intent of this Ordinance.
4. Consider and act on a contract with Walter P. Moore for the engineering design of Walton Drive in the amount of \$343,140 and authorize the City Manager to execute any necessary documents.

Motion made by Council Member Garber to approve the Consent Agenda as presented. Seconded by Mayor Pro Tem Burke.

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

PUBLIC HEARING

5. Conduct a Public Hearing to consider testimony and act on a rezoning request by the Applicant, Carleton Companies, to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code of the City, from PD-51 (Tract 2 of current PD-51) – Planned Development with a base zoning district of MF-3 Multifamily Residential, to a new Planned Development with a base zoning district of MF-3 Multifamily Residential, to accommodate a proposed multifamily development, on approximately ±13.577 acres located on the north side of Walton Drive, west of Victory Way, and south of Orion Place. Case No. ZAPD22-0007 – Village Square at Corinth

Items 5 and 6 were presented together. Item 6 was presented first.

Mayor Heidemann opened the Public Hearing at 7:22 P.M. and close it at 7:22 P.M. No comments were made.

Motion made by Council Member Henderson to approve Case No. ZAPD22-0007 – Village Square of Corinth PD, as presented, and direct staff to prepare an Ordinance for adoption at a future City Council meeting. Seconded by Council Member Garber.

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

6. Conduct a Public Hearing to consider testimony and act on a rezoning request to amend the boundary of PD-51, as adopted by Ordinance No. 20-12-17-41, by removing approximately ±13.577 acres referred to as Tract

2 from PD-51, generally located on the north side of Walton Drive, west of Victory Way, and south of Orion Place. Case No. ZAPD22-0011 – PD-51 Boundary Amendment.

Items 5 and 6 were presented together. Item 6 was presented first.

Mayor Heidemann opened the Public Hearing at 7:22 P.M. and close it at 7:22 P.M. No comments were made.

Motion made by Council Member Garber to approve Case No. ZAPD22-0011 – PD-51 Boundary Amendment, as presented, subject to the approval of Case No. ZAPD22-0007 – “Village Square” and direct Staff to prepare an Ordinance for adoption at a future City Council meeting. Seconded by Mayor Pro Tem Burke.

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

BUSINESS AGENDA

7. Consider and act on a Site Plan for the redevelopment of ±5.363 acres to permit the construction of a ±13,290 square foot, one-story automotive service building, located within the boundaries of both the City of Corinth and the City of Denton at 5000 S I-35E. Case No. SPC22-0008: Classic CDJR Service Building.

Original motion made by Council Member Henderson to approve as presented. Seconded by Council Member Pickens.

Mayor Pro Tem Burke inquired about the City of Denton’s landscape plan. The developer stated the City of Denton approved the plan which included a landscape plan.

City Attorney Adams stated the motion should include – subject to the approval of a site plan by the City of Denton and the approval of a plat by the City of Corinth.

Modified motion made by Mayor Pro Tem Burke to amend the current motion to amend as articulated by Counsel. Seconded by Council Member Garber.

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

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

8. Consider and act on an Ordinance of the City of Corinth approving an amendment to the fiscal year 2022-2023 budget and annual program of services to provide for the expenditure of funds to pay for the purchase of a Fire Medic Chassis; and providing an effective date

Motion made by Council Member Garber to approve Ordinance No. 23-02-16-03, amending the fiscal year 2022-23 Annual Program of services for the purchase of a Fire Chassis in the amount of \$90,000. Seconded by Mayor Pro Tem Burke.

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

9. Consider and act on the purchase of a 2023 Medic from Rush Truck Centers in an amount not to exceed \$320,700.

Motion made by Mayor Pro Tem Burke to approve the purchase of the medic as presented. Seconded by Council Member Henderson.

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

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

Motion made by Mayor Pro Tem Burke to appoint Adam Guck to Place 5, Bradford Harrold to Place 7 1st Alternate, and Crystin Jones to Place 6 2nd Alternate to the Planning & Zoning Commission, and Carolyn Hayward to Keep Corinth Beautiful Board, Place 9. Seconded by Council Member Garber.

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

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

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

To review Comments, please use the Audio/Video link provided.

Mayor Pro Tem Burke
Council Member Garber
Council Member Henderson
Mayor Heidemann
City Manager Campbell

Mayor Heidemann recessed the Regular Session Meeting at 7:53 P.M. and immediately reconvened into Executive Session.

EXECUTIVE SESSION**

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a. Unauthorized third-party use of City-owned property and authorization of eviction proceedings.

b. Utility appeals.

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a. Planning & Zoning Commission.

b. Receive Recommendations of City Manager Regarding Classifications of Staff Positions and Departmental Structure.

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a. Project Agora.

b. Assignment and Assumption of the Chapter 380 Economic Development Incentive Agreement and Consent – Realty Capital.

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

Mayor Heidemann recessed the Executive Session at 9:41 P.M. and immediately reconvened into Regular Session.

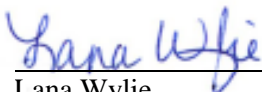
Motion by Mayor Pro Tem Burke to authorize the City Manager to negotiate with the property owner for the purchase of land for creek flood mitigation in an amount not to exceed the amount discussed in Executive Session. Seconded by Council Member Henderson.

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

ADJOURN

Mayor Heidemann adjourned the Regular Session Meeting at 9:43 P.M.

Approved by the Council on the 2nd day of March 2023.



Lana Wylie
City Secretary
City of Corinth, Texas

