



**REGULAR CITY COUNCIL MEETING
MONDAY, FEBRUARY 1, 2016 at 6:30 P.M.**

KRUM CITY HALL – 146 W. McCART STREET

**Ronald G. Harris, Jr., Mayor
Austin Petersen, Councilmember - PI.1
Justin Diviney, Councilmember - PI.3
Lance Vanzant, City Attorney**

**Rhonda Harrison, Councilmember - PI.2
Cindy Daughhetee, Councilmember – PI. 4
Larry Lamonica, Councilmember - PI.5
Andrea Dzioba, City Secretary**

MINUTES

A. CALL TO ORDER

Mayor Ronald G. Harris, Jr. called the meeting to order at 6:31 p.m.

B. QUORUM PRESENT

Those present were Mayor Ronald G. Harris, Jr. and Councilmembers Austin Petersen, Rhonda Harrison, Justin Diviney, Cindy Daughhetee and Larry Lamonica. Also present were Police Chief Terry Hargis; Fire Chief Ken Swindle; Finance Director Shelly Neckar; Public Works Director Mark Patterson; City Planner Tom Elgin; City Attorneys Lance Vanzant and Jeffrey Hines; and City Secretary Andrea Dzioba.

C. INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Ronald G. Harris, Jr. led the pledges to the United States Flag and the Texas Flag.

The invocation was given by Pastor John Ritchie Johnson of Open Range Cowboy Church of North Texas.

D. CITIZEN'S AGENDA: 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. Per City of Krum Ordinance #0034-09-2006 each and every citizen who wishes to address the council shall be afforded three (3) minutes.

Ms. Amanda Green, 5102 Meadow Lane, stated that her family moved to Krum knowing about the sex offender residency restriction ordinance and asked the City Council to consider the issue carefully and said that they should "vote to fight for our town."

Ms. Denise Burns, 5013 Ute Court, advised that as a resident raising her family here and as an educator that she will be concerned if the sex offender residency restriction ordinance is lifted.

Ms. Deborah Armintor, 2003 Mistywood Lane, Denton, stated that she has concerns about the City of Denton's (Denton Municipal Electric) proposed gas plant on the Denton-Krum border on Jim Cristal Road.

Mr. Larry Lamonica, 206 W. Lake Street, advised that even though he is a City Councilmember that he still has opinions. If we disagree with laws, they can be changed through the legislative process. He also expressed a concern about a posting on Facebook by the Mayor while there is ongoing litigation.

H. EXECUTIVE SESSION

Mayor Harris announced that the City Council would convene in executive session at 6:45 p.m.

18. **After determining a quorum is present, the City Council will convene in executive session pursuant to Texas Government Code, Section 551.071, Consultation with attorney to seek advice about pending or contemplated litigation or a settlement offer or all other matters permitted by such section.**
 - a. **Taylor Rice v. City of Krum.**
 - b. **Demand letter regarding sex offender residency restriction ordinance.**
19. **After determining a quorum is present, the City Council will reconvene into regular session and take any action necessary pursuant to Texas Government Code, Section 551.071.**
20. **Adjourn into Open Meeting.**

The City Council reconvened into the open meeting at 8:00 p.m.

21. **Action on Executive Session Items No. 18a and 18b if necessary.**

No action was taken.

Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations Regarding Real Property), 551.074 (Deliberations Regarding the Appointment, Duties, Discipline or Termination of Personnel) and 551.087 (Deliberation Regarding Economic Development Negotiations). Executive Session may be held under these exceptions and at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council Meeting.

E. PRESENTATION / DISCUSSION

1. Mayor's Update

Mayor Harris advised that he had met with Commissioner Eads related to streets and stated that we should know where Denton County can help in the next few weeks. Mayor Harris asked that City Secretary Andrea Dzioba forward the e-mails related to the Fire Station and Public Works Facility updates to the City Council as they are received. Fire Chief Ken Swindle advised that concrete should be poured in the next 3 weeks and that rough-in plumbing for the Public Works Facility has started. There should be slabs for both buildings within 4 weeks. Mayor Harris said that he hopes to have more Library construction updates soon. They are a little behind.

2. Discussion – December 2015 Financials.

Councilmember Lamonica was still interested in seeing that bills that have been paid. Finance Director Shelly Neckar will work on pulling together check registers to be posted on the City's website. Discussion was held by the City Council about the degree of detail that they would be interested in seeing as a whole. Discussion was held related to franchise fees that have been received and what was still expected.

3. Discussion – Wayfinding signs for downtown parking.

Councilmember Lamonica provided an overview of downtown parking availability and the necessity for wayfinding signs that direct people to public parking areas. City Planner Tom Elgin stated that the need for parking is not debated. He stated that to assign it as parking it has to meet the Americans with Disabilities Act and the EDC property and the parking behind City Hall do not currently meet those accessibility requirements. Also, any signs will need to be in compliance with what the State requires in their right-of-way. City Planner Tom Elgin had provided some options related to the properties. Discussion was held by the City Council related to the EDC property and the location of dumpster and powerlines. Thomas Callarman, Chair of the Krum Economic Development Corporation, expects to discuss and agree upon some improvements that may be made to the lot that they own to at least improve the accessibility of the lot.

4. Discussion – City Logo.

Mayor Harris advised that there has been some discussion about updating the logo. A brief discussion was held by the City Council.

5. Presentation – Petition.

City Secretary Andrea Dzioba advised that this was for informational purposes for the City Council. No discussion was held.

F. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and will be enacted in one motion. If discussion is desired by the Mayor or a Councilmember then that item will be removed from the Consent Agenda and will be considered separately.

- 6. Consider and take action on approval of the minutes from the October 5, 2015 Regular City Council meeting.**
- 7. Consider and take action on approval of the minutes from the October 26, 2015 Special City Council meeting.**
- 8. Consider and take action on approval of the minutes from the November 16, 2015 Special City Council meeting.**
- 9. Consider and take action on approval of a RESOLUTION OF THE CITY OF KRUM, TEXAS ADOPTING THE DENTON COUNTY HAZARD MITIGATION ACTION PLAN, JANUARY 2016.**
- 10. Consider and take action to adopt the Krum Police Department Annual Racial Profiling Report – 2015.**
- 11. Consider and take action on approval of the purchase of a Ford Explorer PPV Utility vehicle for the Krum Police Department.**
- 12. Consider and take action on approval of an ORDINANCE OF THE CITY OF KRUM, TEXAS, ADOPTING AMENDMENTS TO THE BUDGET OF THE CITY OF KRUM, TEXAS FOR THE FISCAL YEAR 2015-2016; FINDING THAT THE MEETINGS AT WHICH THIS ORDINANCE IS CONSIDERED IS OPEN TO THE PUBLIC; PROVIDING FOR SEVERABILITY AND THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING OTHER DETAILS RELATING TO THE PASSAGE OF THIS ORDINANCE. (Parks & Recreation)**
- 13. Consider and take action on approval of an ORDINANCE OF THE CITY OF KRUM, TEXAS, ADOPTING AMENDMENTS TO THE BUDGET OF THE CITY OF KRUM, TEXAS FOR THE FISCAL YEAR, 2015-2016; FINDING THAT THE MEETINGS AT WHICH THIS ORDINANCE IS CONSIDERED IS OPEN TO THE PUBLIC; PROVIDING FOR SEVERABILITY AND THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING OTHER DETAILS RELATING TO THE PASSAGE OF THIS ORDINANCE. (Special Events)**

Councilmember Diviney made a motion to approve the consent agenda as presented with a second by Councilmember Harrison.

The following votes were cast:

Ayes: Petersen, Harrison, Diviney, Daughettee, Lamonica
Nays: None
Absent: None

The motion carried unanimously.

G. REGULAR AGENDA ITEMS

- 14. Discuss, consider and take action to order the General Election for Councilmember Place 1, Councilmember Place 3, and Councilmember Place 5 for the City of Krum, to be held on Saturday, May 7, 2016.**

Councilmember Harrison made a motion to order the General Election for Councilmember Place 1, Councilmember Place 3, and Councilmember Place 5 for the City of Krum, to be held on Saturday, May 7, 2016 with a second by Councilmember Diviney.

The following votes were cast:

Ayes: Petersen, Harrison, Diviney, Daughhetee, Lamonica
Nays: None
Absent: None

The motion carried unanimously.

- 15. Discuss, consider and take action on approval of an ORDINANCE BY THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, CALLING AN ELECTION TO BE HELD WITHIN THE CITY ON THE PROPOSITION OF APPROVING THE CREATION OF THE KRUM CRIME CONTROL AND PREVENTION DISTRICT, THE ADOPTION OF A LOCAL SALES AND USE TAX AND THE REDUCTION OF A LOCAL SALES AND USE TAX; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND CONTAINING OTHER PROVISIONS INCIDENTAL THERETO.**

A brief discussion was held by the City Council.

Councilmember Diviney made a motion to approve order an ORDINANCE BY THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, CALLING AN ELECTION TO BE HELD WITHIN THE CITY ON THE PROPOSITION OF APPROVING THE CREATION OF THE KRUM CRIME CONTROL AND PREVENTION DISTRICT, THE ADOPTION OF A LOCAL SALES AND USE TAX AND THE REDUCTION OF A LOCAL SALES AND USE TAX; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND CONTAINING OTHER PROVISIONS INCIDENTAL THERETO with a second by Councilmember Petersen.

The following votes were cast:

Ayes: Petersen, Harrison, Diviney, Daughhetee
Nays: Lamonica
Absent: None

The motion carried.

- 16. Discuss, consider and take action on approval of an ORDINANCE OF THE CITY OF KRUM, TEXAS ORDERING A SPECIAL MUNICIPAL ELECTION TO BE HELD ON MAY 7, 2016, FOR THE PURPOSE OF CONSIDERING ADOPTION OF THE CITY MANAGER FORM OF GOVERNMENT; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND CONTAINING OTHER PROVISIONS INCIDENTAL THERETO.**

Mr. Mike Strand expressed his concern related to funding for a City Manager position if measure were to pass. City Attorney Lance Vanzant advised that budget adjustments could be made if necessary.

Councilmember Lamonica made a motion to approve order an ORDINANCE OF THE CITY OF KRUM, TEXAS ORDERING A SPECIAL MUNICIPAL ELECTION TO BE HELD ON MAY 7, 2016, FOR THE PURPOSE OF CONSIDERING ADOPTION OF THE CITY MANAGER FORM OF GOVERNMENT; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND CONTAINING OTHER PROVISIONS INCIDENTAL THERETO with a second by Councilmember Diviney.

The following votes were cast:

Ayes: Petersen, Harrison, Diviney, Daughhetee, Lamonica

Nays: None

Absent: None

The motion carried unanimously.

17. Discuss, consider and take action to approve a Joint Election Agreement with Denton County for Election Services and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.

Councilmember Lamonica made a motion to approve order a Joint Election Agreement with Denton County for Election Services and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum with a second by Councilmember Harrison.

The following votes were cast:

Ayes: Petersen, Harrison, Diviney, Daughhetee, Lamonica

Nays: None

Absent: None

The motion carried unanimously.

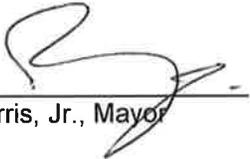
I. FUTURE AGENDA ITEMS

Councilmember Lamonica requested a discussion item earlier in the meeting related to the claim payment.

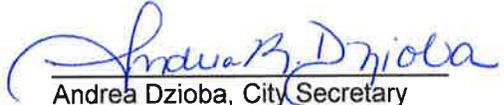
J. ADJOURN

The meeting adjourned at 8:55 p.m.

APPROVED:



Ronald G. Harris, Jr., Mayor



Andrea Dzioba, City Secretary