



# REGULAR CITY COUNCIL MEETING MONDAY, MARCH 7, 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 Daughhete, Councilmember – PI. 4**  
**Larry Lamonica, Councilmember - PI.5**  
**Andrea Dzioba, City Secretary**

## MINUTES

### A. CALL TO ORDER

Mayor Pro Tem Justin Diviney called the meeting to order at 6:30 p.m.

### B. QUORUM PRESENT

Those present were Mayor Pro Tem Justin Diviney and Councilmembers Austin Petersen and Rhonda Harrison. Mayor Ronald G. Harris, Jr., Councilmember Cindy Daughhete and Councilmember Larry Lamonica were absent. Also present were Police Chief Terry Hargis; Fire Chief Ken Swindle; Public Works Director Mark Patterson; City Planner Tom Elgin; Library Director Donna Pierce; City Attorney Lance; and City Secretary Andrea Dzioba.

### C. INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Pro Tem Justin Diviney led the pledges to the United States Flag and the Texas Flag.

The invocation was given by Councilmember Austin Petersen.

### 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.

No one spoke under the Citizen's Agenda.

### E. PRESENTATION / DISCUSSION

#### 1. Discussion – Update on Design-Build for Fire Station, Public Works Facility, and Library.

Public Works Director Mark Patterson advised that the building components related to the Fire Station should be delivered on April 7th and Public Works Facility components should be delivered later in April.

Library Director Donna Pierce announced that the groundbreaking would be on Friday, March 18th at 10:00 a.m. and invited everyone to attend. She expects to receive civil drawings and driveway approvals soon. Public Works Director Mark Patterson stated that there would be some decisions to be made related to a lift station for the new Library and an easement for a force main.

**2. Discussion – January 2016 Financials.**

Councilmember Petersen inquired about the percentage of property taxes that are collected by this time. Finance Director Shelly Neckar advised that as of the January 2016 Financials approximately 90% of the property taxes had probably been received.

- 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.

Councilmember Harrison requested that Item No. 9 be considered separately.

- 3. Consider and take action on approval of the minutes from the December 7, 2015 Regular City Council meeting.**
- 4. Consider and take action on approval of the minutes from the January 4, 2016 Regular City Council meeting.**
- 5. Consider and take action on approval of the resignation of Brad Sebastian from the Krum Park Advisory Board.**
- 6. Consider and take action on a request by the Krum Lion's Club to utilize city property as an alternate location to host a fundraiser circus on Wednesday, March 16, 2016.**
- 7. Consider and take action on a request by the Krum Lion's Club for the donation of a water connection and bulk water for a fundraiser circus on Wednesday, March 16, 2016.**
- 8. Consider and take action on approval of improvements by the Krum Economic Development Corporation to the property located at 217 W. McCart.**
- 10. Consider and take action on approval of an agreement with FP Mailing Solutions for postage meter equipment and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**

Councilmember Petersen made a motion to approve Items No. 3 through 8 and 10 on the consent agenda with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

- 9. Discuss, consider and take action on approval of an ORDINANCE OF THE CITY OF KRUM AMENDING THE CITY'S CODE OF ORDINANCES; APPENDIX A: FEE SCHEDULE, ARTICLE A2.000: MISCELLANEOUS FEES, AND ARTICLE A7.000: HEALTH PERMITS; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

City Planner Tom Elgin provided information related to the changes in the fees related to health permits. A brief discussion was held by the City Council.

Councilmember Harrison made a motion to approve an ORDINANCE OF THE CITY OF KRUM AMENDING THE CITY'S CODE OF ORDINANCES; APPENDIX A: FEE SCHEDULE, ARTICLE A2.000: MISCELLANEOUS FEES, AND ARTICLE A7.000: HEALTH PERMITS; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

## **G. REGULAR AGENDA ITEMS**

### **11. Discuss, consider and take action on accepting the Audited Annual Financial Report for the fiscal year ended September 30, 2015.**

Ms. Elisa Vigil with Pattillo, Brown & Hill, L.L.P. made a presentation to the City Council related to the Audited Annual Financial Report for the fiscal year ended September 30, 2015.

Councilmember Harrison made a motion to accept the Audited Annual Financial Report for the fiscal year ended September 30, 2015 with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

### **12. Discuss, consider and take action on a sign ordinance variance for Krum Early Education Center (EEC) located at 1513 Sequoia Drive. Owner: Krum Independent School District. Applicant: Tammy Morris, EEC Principal. Case: SNV-2016-01.**

City Planner Tom Elgin presented information to the City Council related to the sign ordinance variance request for Krum Early Education Center (EEC).

Councilmember Petersen made a motion to approve a sign ordinance variance for Krum Early Education Center (EEC) located at 1513 Sequoia Drive with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

### **13. Discuss, consider and take action on a Compromise, Settlement, and Release Agreement by and among Gracon Construction, Inc. and the Greater Texoma Utility Authority on behalf of the City of Krum and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**

Public Works Director Mark Patterson and City Attorney Lance Vanzant provided the City Council with information related to the agreement. A brief discussion was held by the City Council.

Councilmember Harrison made a motion to approve a Compromise, Settlement, and Release Agreement by and among Gracon Construction, Inc. and the Greater Texoma Utility Authority on behalf of the City of Krum and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

**H. EXECUTIVE SESSION – None**

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.

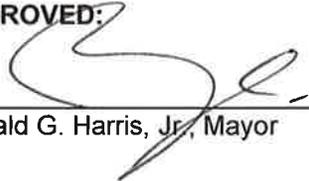
**I. FUTURE AGENDA ITEMS**

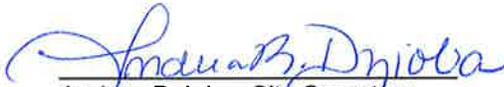
No future agenda items were requested.

**J. ADJOURN**

The meeting adjourned at 7:07 p.m.

**APPROVED:**

  
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Ronald G. Harris, Jr., Mayor

  
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Andrea Dzioba, City Secretary