



REGULAR CITY COUNCIL MEETING TUESDAY, SEPTEMBER 8, 2015 at 6:30 P.M.

KRUM CITY HALL – 146 W. McCART STREET

Ronald G. Harris, Jr., Mayor
Nick Vincent, 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 Ronald G. Harris, Jr. called the meeting to order at 6:30 p.m.

B. QUORUM PRESENT

Those present were Mayor Ronald G. Harris, Jr. and Councilmembers Nick Vincent (arrived at 6:49 p.m.), Rhonda Harrison, Justin Diviney (arrived at 7:20 p.m.), Cindy Daughhete and Larry Lamonica. Also present were Finance Director Shelly Neckar, Police Chief Terry Hargis, Fire Chief Ken Swindle, Assistant Fire Chief Matt Kilgore, Public Works Director Mark Patterson, City Planner Tom Elgin, Library Director Donna Pierce, City Attorney Byron Berry 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 Jay Smith, Senior Pastor of New Life First Baptist Church.

- 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.

Mr. Ken Sutton, 5127 Mountain View Drive, expressed his appreciation to the Krum Police and Fire Departments.

Ms. Sandra Williamson, 5113 Mountain View Drive, expressed her concerns related to the pavement on Hopkin from the gas well to FM 1173 and the damage that the trucks from the gas well make to the pavement. She also was concerned about the wastewater from the gas wells.

Items appear in the order in which they were considered but retain original numbers as listed on the posted agenda.

F. PRESENTATION

2. Proclamation – “Live United Month”

Mayor Ronald G. Harris, Jr. presented the proclamation to Gary Henderson, President and Chief Executive Officer of United was of Denton.

E. INTRODUCTION

1. Introduction of the new Finance/Human Resources Director.

Mayor Ronald G. Harris, Jr. introduced Shelly Neckar, the new Finance/Human Resources Director.

G. 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.

- 3. Consider and take action on approval of an Interlocal Cooperation Agreement for Shared Governance Communications & Dispatch Services System (Police and Fire) with Denton County and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**
- 4. Consider and take action to approve an Interlocal Cooperation Agreement with Denton County for Public Safety Application Support and Maintenance for the Krum Police Department and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**
- 5. Consider and take action to approve an Interlocal Cooperation Agreement with Denton County for Public Safety Application Support and Maintenance for the Krum Fire Department and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**
- 6. Consider and act on approval of the Fiscal Year 2015–2016 holiday closure schedule.**

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

The following votes were cast:

- Ayes: Harrison, Diviney, Daughhetee, Lamonica
- Nays: None
- Absent: Vincent

The motion carried unanimously.

H. REGULAR AGENDA ITEMS

7. Consider accepting the revised submission of the effective tax rate calculation of \$0.612706 per \$100 assessed valuation and a rollback tax rate of \$0.691250 per \$100 assessed valuation for the fiscal year beginning October 1, 2015 and ending September 30, 2016.

Councilmember Lamonica made a motion to accept the submission of the effective tax rate of \$0.612706 per \$100 assessed valuation and a rollback tax rate of \$0.691250 per \$100 assessed valuation for the fiscal year beginning October 1, 2015 and ending September 30, 2016 with a second by Councilmember Harrison.

The following votes were cast:

- Ayes: Harrison, Daughhetee, Lamonica
- Nays: None
- Absent: Vincent, Diviney

The motion carried unanimously.

8. Hold a public hearing on a proposal to consider a tax rate, which will exceed the lower of the rollback rate or the effective tax rate and will increase total tax revenues from properties on the tax roll in the preceding tax year by 8.11%.

Mayor Harris announced that this is the first of two public hearings to discuss the Fiscal Year 2015-2016 proposed tax rate of \$.647489 that represents the same tax rate as the Fiscal Year 2014-2015 tax rate of \$.647489. The second public hearing will be held on September 14, 2015 at 6:30 p.m. at the Krum City Hall located at 146 W. McCart, Krum, Texas. The City Council will vote on both the Fiscal Year 2015-2016 Proposed Budget and the proposed tax rate at a meeting scheduled on September 17, 2015 at 6:30 p.m. located at Krum City Hall at 146 W. McCart, Krum, Texas. Once the public hearing is opened, the public is encouraged to express their views.

Mayor Harris opened the public hearing at 6:42 p.m. No one was present to speak during the public hearing. Mayor Harris closed the public hearing at 6:43 p.m.

No further action was necessary.

9. Discuss, consider and take action on approval of a Site Plan for Krum High School on an approximate 48.1 acre tract of land located at 700 Bobcat Boulevard and known as Tract 31B of the Charles Despallier Survey, Abstract No. 370, in the City of Krum, Denton County, Texas. The site plan proposes a classroom addition to the existing high school. Owner: Krum Independent School District. Applicant: VLK Architects. Case: SPN-2015-1.

City Planner Tom Elgin provided an introduction and background information related to the Site Plan for Krum High School. A brief discussion was held by the City Council.

Councilmember Lamonica made a motion approve a Site Plan for Krum High School on an approximate 48.1 acre tract of land located at 700 Bobcat Boulevard and known as Tract 31B of the Charles Despallier Survey, Abstract No. 370, in the City of Krum, Denton County, Texas with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

10. Discuss, consider and take action to approve a variance request to allow work related to the refracting of the existing Cates Well #2 to take place outside of the hours of operation allowed under Article 8.03, Noise, Section 8.03.004 in the Code of Ordinances for the City of Krum. The location of the existing Cates Well #2 is approximately 285 feet east of 6th Street, 370 feet north of Bobcat Road, and west of the Krum ISD Administration Building.

City Planner Tom Elgin provided an introduction and background information related to the variance request to allow work related to the refracting of the existing Cates Well #2 to take place outside the hours of operation allowed. The dates that they would like to receive the variance for are October 2, 3 and 4 or October 23, 24 and 25. Discussion was held by the City Council.

Councilmember Lamonica made a motion approve a variance request to allow work related to the refracting of the existing Cates Well #2 to take place outside of the hours of operation allowed under Article 8.03, Noise, Section 8.03.004 in the Code of Ordinances for the City of Krum with a second by Councilmember Harrison.

The following votes were cast:

Ayes: Vincent, Harrison, Lamonica
Nays: Daughhetee
Absent: Diviney

The motion carried.

11. Discuss, consider and take action to approve a professional services agreement with Bureau Veritas North America, Inc. to provide health inspection services and to authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.

City Planner Tom Elgin provided an introduction and background information related to the professional services agreement with Bureau Veritas North America, Inc. to provide health inspection services. Ms. Lisa Pomeroy, Health Services Manager at Bureau Veritas, was available to respond to any questions related to their services and the agreement. Discussion was held by the City Council.

Councilmember Vincent made a motion approve a professional services agreement with Bureau Veritas North America, Inc. to provide health inspection services and to authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

12. Discuss, consider and take action to approve a professional services agreement with Countywide Inspection Services to provide building inspections and construction plan review services and to authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.

City Planner Tom Elgin provided an introduction and background information related to the professional services agreement with Countywide Inspection Services to provide building inspections and construction plan review services. He advised that the City of Krum has been using their services since February of 2015 and this agreement puts what they have been providing already in writing. A brief discussion was held by the City Council.

Councilmember Harrison made a motion approve a professional services agreement with Countywide Inspection Services to provide building inspections and construction plan review services and to authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum with a second by Councilmember Diviney.

The following votes were cast:

Ayes: Vincent, Harrison, Diviney, Lamonica
Nays: None
Abstain: Daughhetee
Absent: None

The motion carried.

13. Discuss, consider and take action on approval of a Tower Site Lease Agreement with Speed of Light Broadband, Inc. and authorize the Mayor to execute all agreement documents on behalf of the City of Krum.

City Secretary Andrea Dzioba provided background information related to the Tower Site Lease Agreement. A brief discussion was held by the City Council.

Councilmember Vincent made a motion approve a Tower Site Lease Agreement with Speed of Light Broadband, Inc. and to authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum with a second by Councilmember Diviney.

The following votes were cast:

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

The motion carried unanimously.

14. Discuss, consider and take action to approve the purchase of three (3) barbeque grills in an amount not to exceed \$200.00 each.

Trey Willis from the Krum Park Advisory Board provided information related to their desire to purchase three (3) barbeque grills for the West Side Park. A brief discussion was held by the City Council.

Councilmember Lamonica made a motion approve the purchase of three (3) barbeque grills in an amount not to exceed \$200.00 each with a second by Councilmember Diviney.

The following votes were cast:

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

The motion carried unanimously.

15. Discuss consider and take action on the purchase of clay, soil conditioner, 4 sets of new bases and clay bricks to recondition Fields B and D and labor for same from Sports Field Solutions.

Trey Willis from the Krum Park Advisory Board provided information related to their desire to purchase clay, soil conditioner, 4 sets of new bases and clay bricks to recondition Fields B and D and labor for same from Sports Field Solutions. A brief discussion was held by the City Council.

Councilmember Lamonica made a motion approve the purchase of clay, soil conditioner, 4 sets of new bases and clay bricks to recondition Fields B and D and labor for same from Sports Field Solutions at a total cost of \$12,753.00 with a second by Councilmember Diviney.

The following votes were cast:

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

The motion carried unanimously.

16. Discuss, consider and take action to approve a contract for animal control services and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.

Police Chief Terry Hargis provided an introduction and background information related to a contract for animal control services and his recommendation. Kerry Payne, owner of North Texas Animal Control Authority, and Bob Matthews from All American Dogs were on hand to answer any questions related to their proposed contracts. Discussion was held by the City Council.

Councilmember Diviney made a motion to approve a contract with All American Dogs for animal control 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: Vincent, Harrison, Diviney, Lamonica
Nays: Daughhetee
Absent: None

The motion carried.

17. Discuss, consider and take action to approve an agreement with 720 Design Inc for design consulting services for furniture, fixtures and equipment selection and specification for the new Library and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.

Library Director Donna Pierce provided an introduction and background information related to an agreement with 720 Design Inc for design consulting services for furniture, fixtures and equipment selection and specification for the new Library. Discussion was held by the City Council.

Councilmember Diviney made a motion to deny approval of the agreement with a second by Councilmember Vincent.

The following votes were cast:

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

The motion carried unanimously.

18. Discuss, consider and take action to approve an ORDINANCE OF THE CITY OF KRUM, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF KRUM, CHAPTER 12: TRAFFIC AND VEHICLES, ARTICLE 12.03: OPERATION OF VEHICLES, DIVISION 2. SPEED LIMITS, SECTION 12.03.31: SCHOOL ZONES; CHAPTER 12: TRAFFIC AND VEHICLES, ARTICLE 12.03: OPERATION OF VEHICLES, DIVISION 2. SPEED LIMITS, SECTION 12.03.032: SPEED LIMITS ON SPECIFIC STREETS; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY, PROVIDING FOR A PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

Police Chief Terry Hargis provided an introduction and background information related to the proposed ordinance to set the speed limit on E. Huffman that now passes through to the Krum ISD property and to make E. Huffman and a portion of E. 6th Street a school zone. A brief discussion was held by the City Council.

Councilmember Vincent made a motion to approve an ORDINANCE OF THE CITY OF KRUM, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF KRUM, CHAPTER 12: TRAFFIC AND VEHICLES, ARTICLE 12.03: OPERATION OF VEHICLES, DIVISION 2. SPEED LIMITS, SECTION 12.03.31: SCHOOL ZONES; CHAPTER 12: TRAFFIC AND VEHICLES, ARTICLE 12.03: OPERATION OF VEHICLES, DIVISION 2. SPEED LIMITS, SECTION 12.03.032: SPEED LIMITS ON SPECIFIC STREETS; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY, PROVIDING FOR A PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE with a second by Councilmember Diviney.

The following votes were cast:

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

The motion carried unanimously.

Mayor Harris called a brief recess at 8:25 p.m. The meeting was called back to order at 8:35 p.m.

19. Discuss and review the proposed budget for Fiscal Year 2015–2016.

Extensive discussion was held by the City Council about the proposed budget including, but not limited to, putting a 5-year plan in place, cost of renting equipment, personnel, and the Lucas tool for the Fire Department. Mayor Harris advised that he has included 3% raises for employees and would like to hire two Public Works employees and have Mark Patterson continue to supervise the department. Councilmember Lamonica discussed that infrastructure went down in spending over the years and that they need to take care of basic necessities and cut spending and reprioritize to infrastructure. He suggested that the Finance Assistant could go to part-time, eliminating the Administrative Assistant in the Police Department, and a Police officer position.

The discussion on the budget will be continued at the Special City Council meeting on September 14, 2015.

E. 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.

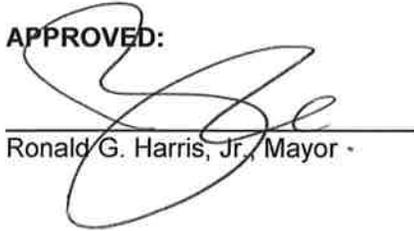
H. FUTURE AGENDA ITEMS

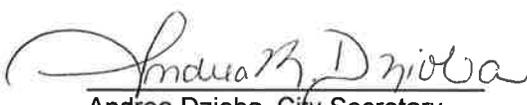
No discussion was held.

I. ADJOURN

The meeting adjourned at 10:41 p.m.

APPROVED:


Ronald G. Harris, Jr., Mayor


Andrea Dzioba, City Secretary