



**SPECIAL CITY COUNCIL MEETING  
MONDAY, OCTOBER 26, 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 6:34 p.m.

**B. QUORUM PRESENT**

Those present were Mayor Ronald G. Harris, Jr. and Councilmembers Rhonda Harrison, Justin Diviney, Cindy Daughhete and Larry Lamonica. Councilmember Nick Vincent was 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, Assistant City Attorney Trey Sargent 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 Bishop Brad Andrus of the Church of Jesus Christ of Latter Day Saints, Denton 3rd Ward.

**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. Presentation – Lionhearted Award – Krum Lions Club**

Mr. Wallace Bowman, President of the Krum Lions Club, Mrs. Janice Callarman, and Mr. and Mrs. Rodney Barthold made a presentation of the first ever "Lionhearted Award" to Mr. Mike Strand to recognize him for his dedicated service to the community.

**2. Proclamation – Eagle Scout**

Mayor Ronald G. Harris, Jr. read and presented the proclamation to Master Christian Ehrhart. Mayor Harris was joined by those on hand who were also Eagle Scouts – Assistant City Attorney Trey Sargent, Police Officer Philip Ginn, and Mr. Austin Petersen.

**3. Mayor's Update**

Mayor Ronald G. Harris, Jr. provided an update to the City Council. He advised that the new Fire Station and Public Works Facility are moving quickly. He said that he should have finalized

numbers by the end of the year. He expects that he will have dollar figures in December related to North Point and Radecke. Mayor Harris advised that the City's insurance will cover the pump that went out on the North Point well. He is looking into a sidewalk complaint that was received and expects to have additional discussion in December related to streets.

#### **4. Discussion – Crime Control Prevention District**

Police Chief Terry Hargis made a presentation and presented information to the City Council related to the creation of a Crime Control and Prevention District. It would go before the voters at the next election and, if created, would be funded by splitting the 1/2 cent that currently goes to the Type A Corporation – each entity would receive a 1/4 cent each. The funds could be used for vehicles, equipment, public safety events and programs with the schools.

Chief Hargis advised that they will have a meeting of their temporary board in December and will invite Trey Willis from the Park Advisory Board and Type A Corporation and anyone else that the City Council would like in attendance.

**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.

**5. Consider and take action on approval of the minutes from the August 17, 2015 Special City Council meeting.**

**6. Consider and take action on acceptance of the resignation of Nick Vincent, Councilmember Place 1 from the Krum City Council.**

**7. Consider and take action on approval to cancel the Regular City Council meeting on Monday, November 2, 2015.**

**9. Consider and take action to approve membership for 2016 in the Electric Reliability Council of Texas ("ERCOT") and authorizing the payment of \$100.00 for membership.**

**10. Consider and take action to approve an Interlocal Cooperation Agreement with Denton County for Library Services and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**

Councilmember Daughhete requested that Consent Item No. 8 be considered separately

Councilmember Diviney made a motion to approve consent agenda items numbers 5 through 7 and 9 through 10 as presented with a second by Councilmember Lamonica.

The following votes were cast:

Ayes: Harrison, Diviney, Daughhete, Lamonica

Nays: None

Absent: Vincent

The motion carried unanimously.

**8. Consider and take action on approval of a RESOLUTION IN SUPPORT OF STATEWIDE PROPOSITION 7 FOR INCREASED STATE FUNDING FOR TRANSPORTATION.**

Mayor Ronald G. Harris, Jr. provided background information related to the resolution. A brief discussion was held by City Council.

Councilmember Diviney made a motion to approve a RESOLUTION IN SUPPORT OF STATEWIDE PROPOSITION 7 FOR INCREASED STATE FUNDING FOR TRANSPORTATION with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

## **G. REGULAR AGENDA ITEMS**

### **11. Discuss, consider and take action on the appointment of an individual to fill Councilmember Place 1 vacancy until the next uniform election date to be held in May 2016.**

Councilmember Lamonica nominated Russell Wilson. Councilmember Diviney nominated Steven Petersen.

Councilmember Diviney made a motion to appoint Steven Petersen to fill the Councilmember Place 1 vacancy until the next uniform election date to be held in May 2016 with a second by Councilmember Harrison.

The following votes were cast:

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

Mayor Harris voted "aye" due to the tie.

The motion carried.

### **12. Completion of Statement of Elected Officer and Administer the Oath of Office to Councilmember Place 1.**

Steven "Austin" Petersen completed the Statement of Elected Officer and City Secretary Andrea Dzioba administered the Oath of Office to Steven "Austin" Petersen.

Mr. Petersen thanked everyone for the opportunity and said that he would do his best to represent the people.

### **13. Discuss, consider and take action on approval of a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, AUTHORIZING AND APPROVING THE CREATION OF THE KRUM PARK DEVELOPMENT CORPORATION; APPROVING THE FORM OF THE CORPORATION'S ARTICLES OF INCORPORATION AND BYLAWS AND THE APPOINTMENT OF ITS INITIAL DIRECTORS; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Ronald G. Harris, Jr. provided read the summary of information included in the agenda packet for the benefit of those in the audience.

Councilmember Lamonica made a motion to approve a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, AUTHORIZING AND APPROVING THE CREATION OF THE KRUM PARK DEVELOPMENT CORPORATION; APPROVING THE FORM OF THE CORPORATION'S ARTICLES OF INCORPORATION AND BYLAWS AND THE APPOINTMENT OF ITS INITIAL DIRECTORS; AND PROVIDING AN EFFECTIVE DATE with a second by Councilmember Diviney.

The following votes were cast:

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

The motion carried.

- 14. Discuss, 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.**

Fire Chief Ken Swindle and Public Works Director Mark Patterson provided information related to the budget amendment. They advised that the request is due primarily to the increase in construction costs since the bond was passed. Public Works Director Mark Patterson stated that they have whittled down costs everywhere that they could but still expect construction costs to go above the bond amounts. Extensive discussion was held by the City Council.

Councilmember Diviney made a motion approve 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 with a second by Councilmember Harrison.

The following votes were cast:

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

Mayor Harris voted "aye" due to the tie.

The motion carried.

## **H. EXECUTIVE SESSION**

Mayor Harris announced that the City Council would convene in executive session at 8:07 p.m.

- 15. 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.***

- 16. 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.**

- 17. Adjourn into Open Meeting.**

The City Council reconvened into the open meeting at 8:26 p.m.

**18. Action on Executive Session Item No. 15a 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.

**I. FUTURE AGENDA ITEMS**

Councilmember Daughhetee requested that streets be on the next City Council agenda.

**J. ADJOURN**

The meeting adjourned at 8:35 p.m.

**APPROVED:**

  
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Ronald G. Harris, Jr., Mayor

  
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Andrea Dzioba, City Secretary