



**REGULAR CITY COUNCIL MEETING  
MONDAY, DECEMBER 7, 2015 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 6:30 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 Finance Director Shelly Neckar, Police Chief Terry Hargis, Fire Chief Ken Swindle, Public Works Director Mark Patterson, City Planner Tom Elgin, Library Director Donna Pierce, City Attorney Lance Vanzant 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 Joe Mayo of the Krum Christian Center Assembly of God.

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

**E. PRESENTATION / DISCUSSION**

**2. Certificates of Recognition – KYSA 4th Grade Football.**

Mayor Ronald G. Harris, Jr. presented Certificates of Recognition to Coach Miller and the KYSA 4th Grade football team for an outstanding record and season.

**1. Proclamations – Eagle Scouts.**

Mayor Ronald G. Harris, Jr. read and presented proclamations to Cameron Corey and Brandon Corey.

**3. Presentation - CoServ**

Richard Muir of the CoServ Charitable Foundation presented to Fire Chief Ken Swindle a grant in the amount of \$12,425.00 to be used for the purchase of professional grade appliances, computers, alerting system and telephones for the new fire station.

**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. Alice Carr, 10 West Sharon, signed up to speak but would address the City Council under Item No. E. 6.

**E. PRESENTATION / DISCUSSION**

**4. Mayor's Update**

Mayor Ronald G. Harris, Jr. provided an update to the City Council. He advised he had spoken with Mr. Morton and was advised that a new structural engineer was in place for the Library and he should have more information by the end of January. Dirt removal has begun at the site for the new Fire Station and Public Works facility.

**5. Discussion – July and August 2015 Financials**

Mayor Ronald G. Harris, Jr. provided an overview of the July and August 2015 Financials.

**6. Discussion – Code of Ordinances – Chapter 2; Article 2.06; Sec. 2.006.004 Keeping livestock, fowl or bees near residence of other person.**

Councilmember Lamonica introduced Ms. Alice Carr. Ms. Alice Carr addressed the City Council and advised that she would like the City to review their ordinance and compare it with other cities because she would like the ordinance to be less restrictive. She advised that bees are beneficial and the bee population is dwindling. She provided some examples of ordinances in place in other states regarding same.

**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 Daughhete requested that Item No. 9 be considered separately.

**7. Consider and take action on approval of the minutes from the September 8, 2015 Regular City Council meeting.**

**8. Consider and take action on approval of the minutes from the September 14, 2015 Special City Council meeting.**

**10. Consider and take action to approve payment of "fair share" support of the Children's Advocacy Center of Denton County for FY 2015-2016.**

Councilmember Diviney made a motion to approve Items No. 7, 8, and 10 on the consent agenda with a second by Councilmember Lamonica.

The following votes were cast:

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

The motion carried unanimously.

**9. Consider and take action to approve reimbursement by the Krum Economic Development Corporation to the City of Krum related to an agreement with GRAM Traffic North Texas, Inc. for 24-hour Bi-Directional Volume Counts at sixteen (16) locations and 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 related to the 24-hour Bi-Directional Volume Counts at sixteen (16) locations. Discussion was held by the City Council.

Councilmember Harrison made a motion to approve reimbursement by the Krum Economic Development Corporation to the City of Krum related to an agreement with GRAM Traffic North Texas, Inc. for 24-hour Bi-Directional Volume Counts at sixteen (16) locations 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, Daughhetee, Lamonica  
Nays: None  
Absent: None

The motion carried unanimously.

## **G. REGULAR AGENDA ITEMS**

- 11. Discuss, consider and take action on approval of a Final Plat of Lots 1 & 2, Block A of the Barthold-Heard addition, for an approximate 4.0 acre tract of land located on the west side of Gregg Road approximately 830 feet north of W. McCart Street / FM 1173, and being Tracts 2, 2A, and 3 of the H.C. Bernard Survey, Abstract No. 74, in the extraterritorial jurisdiction of the City of Krum, Denton County, Texas. The final plat proposes to create two residential lots from three unplatted tracts of land. Owners and Applicants: Bonnie C. Barthold and Dennis W. Heard. Case: FPT-2015-02.**

City Planner Tom Elgin made a presentation regarding the Final Plat of Lots 1 & 2, Block A of the Barthold-Heard addition. Mr. Rodney Barthold was on hand to answer any questions for the City Council. Discussion was held by the City Council.

Councilmember Diviney made a motion to approve a Final Plat of Lots 1 & 2, Block A of the Barthold-Heard addition, for an approximate 4.0 acre tract of land located on the west side of Gregg Road approximately 830 feet north of W. McCart Street / FM 1173, and being Tracts 2, 2A, and 3 of the H.C. Bernard Survey, Abstract No. 74, in the extraterritorial jurisdiction of the City of Krum, Denton County, Texas with a second by Councilmember Lamonica.

The following votes were cast:

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

The motion carried unanimously.

- 12. Discuss, consider and take action on approval of an ORDINANCE OF THE CITY OF KRUM, TEXAS, PROPOSING THE CREATION OF A CRIME CONTROL AND PREVENTION DISTRICT AND ESTABLISHING THE BOUNDARIES THEREOF; APPOINTING A TEMPORARY BOARD OF DIRECTORS FOR THE DISTRICT; DIRECTING THE TEMPORARY BOARD TO ORGANIZE, ELECT A PRESIDING OFFICER, AND FORMULATE A CRIME CONTROL PLAN AND BUDGET PLAN; AND PROVIDING AN EFFECTIVE DATE.**

Police Chief Terry Hargis provided information related to the proposed ordinance. The following members of the Temporary Board were on hand: Rhonda Harrison, Toby Lawrence, Joe Mayo, Corey Newton, Steven Quy, and Mike Strand. Additionally, the following members of the Krum Park Advisory Board were available: Trey Willis and Toby Lawrence.

Councilmember Lamonica asked about projects and training for AED's. He feels that funding will still end up in the General Fund and think that they need to complete projects that have been started already. Councilmember Diviney thinks that the City Council should let the voters decide. Discussion was held by the City Council.

Councilmember Diviney made a motion to approve an ORDINANCE OF THE CITY OF KRUM, TEXAS, PROPOSING THE CREATION OF A CRIME CONTROL AND PREVENTION DISTRICT AND ESTABLISHING THE BOUNDARIES THEREOF; APPOINTING A TEMPORARY BOARD OF DIRECTORS FOR THE DISTRICT; DIRECTING THE TEMPORARY BOARD TO ORGANIZE, ELECT A PRESIDING OFFICER, AND FORMULATE A CRIME CONTROL PLAN AND BUDGET PLAN; AND PROVIDING AN EFFECTIVE DATE with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried.

**13. Discuss, consider and take action on approval of a RESOLUTION BY THE CITY COUNCIL OF THE CITY OF KRUM ACCEPTING THE CONTRACT WITH GRACON CONSTRUCTION, INC. FOR THE CITY OF KRUM WASTEWATER TREATMENT PLANT REHABILITATION PROJECT AS COMPLETE.**

Public Works Director Mark Patterson briefly introduced the item. He advised that the Wastewater Treatment Plant has been complete since September and is online. A brief discussion was held by the City Council.

Councilmember Diviney made a motion to approve a RESOLUTION BY THE CITY COUNCIL OF THE CITY OF KRUM ACCEPTING THE CONTRACT WITH GRACON CONSTRUCTION, INC. FOR THE CITY OF KRUM WASTEWATER TREATMENT PLANT REHABILITATION PROJECT AS COMPLETE 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.

**14. Discuss, consider and take action on selection of road construction project(s) and authorize staff to seek proposal(s) for professional engineer services to design the project(s).**

Extensive discussion was held by the City Council especially pertaining the Huffman, Radecke, and North Point and saving the streets that we have. Mayor Harris advised that he was in the process of submitting information to Denton County to find out what assistance might be available to help with roads like Radecke.

Councilmember Diviney made a motion to table this item 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.

- 15. Discuss, consider and take action on approval of an ORDINANCE OF THE CITY OF KRUM, TEXAS AMENDING THE CITY'S CODE OF ORDINANCES; REVISING APPENDIX A: FEE SCHEDULE, DELETING ARTICLE A12.000: SUBDIVISION AND ZONING FEES IN ITS ENTIRETY AND REPLACING THE ARTICLE WITH A NEW ARTICLE A12.000: SUBDIVISION AND ZONING FEES; 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 made a presentation regarding the proposed ordinance.

Councilmember Daughhetee made a motion to approve an ORDINANCE OF THE CITY OF KRUM, TEXAS AMENDING THE CITY'S CODE OF ORDINANCES; REVISING APPENDIX A: FEE SCHEDULE, DELETING ARTICLE A12.000: SUBDIVISION AND ZONING FEES IN ITS ENTIRETY AND REPLACING THE ARTICLE WITH A NEW ARTICLE A12.000: SUBDIVISION AND ZONING FEES; 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 Harrison.

The following votes were cast:

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

The motion carried unanimously.

- 16. Discuss, consider and take action on approval of an ORDINANCE OF THE CITY OF KRUM, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES; REVISING AND REORDERING CHAPTER 3: BUILDING REGULATIONS; SECTION 3.02.051 INTERNATIONAL RESIDENTIAL CODE; AMENDMENTS ADOPTED; SECTION 3.02.101 INTERNATIONAL BUILDING CODE (WITH NCTCOG OPTION B); AMENDMENTS ADOPTED; SECTION 3.02.151 INTERNATIONAL MECHANICAL CODE; AMENDMENTS ADOPTED; SECTION 3.02.201 INTERNATIONAL PLUMBING CODE; AMENDMENTS ADOPTED; SECTION 3.02.251 NATIONAL ELECTRICAL CODE; AMENDMENTS ADOPTED; SECTION 3.02.301 INTERNATIONAL ENERGY CONSERVATION CODE; AMENDMENTS ADOPTED; SECTION 3.02.351 INTERNATIONAL FUEL GAS CODE; AMENDMENTS ADOPTED; AND CREATING NEW CHAPTER 3: BUILDING REGULATIONS; SECTION 3.02.001 AUTHORITY OF BUILDING OFFICIAL; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES AND INCLUDING PROVISIONS FOR THE AUTHORIZATION TO SEEK INJUNCTIVE RELIEF TO ENJOIN VIOLATIONS WHICH CONSTITUTE AN IMMINENT HAZARD OR DANGER TO THE PUBLIC HEALTH AND SAFETY; PROVIDING A PUBLICATION CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

City Planner Tom Elgin made a presentation regarding the proposed ordinance and advised that he expects that the update of the International Fire Code will likely be brought to the City Council in January or February.

Councilmember Diviney made a motion to approve an ORDINANCE OF THE CITY OF KRUM, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES; REVISING AND REORDERING CHAPTER 3: BUILDING REGULATIONS; SECTION 3.02.051 INTERNATIONAL RESIDENTIAL CODE; AMENDMENTS ADOPTED; SECTION 3.02.101 INTERNATIONAL BUILDING CODE (WITH NCTCOG OPTION B); AMENDMENTS ADOPTED; SECTION 3.02.151 INTERNATIONAL MECHANICAL CODE; AMENDMENTS ADOPTED; SECTION 3.02.201 INTERNATIONAL PLUMBING CODE; AMENDMENTS ADOPTED; SECTION 3.02.251 NATIONAL ELECTRICAL CODE; AMENDMENTS ADOPTED; SECTION 3.02.301 INTERNATIONAL ENERGY CONSERVATION CODE; AMENDMENTS ADOPTED; SECTION 3.02.351 INTERNATIONAL FUEL GAS CODE; AMENDMENTS ADOPTED; AND CREATING NEW CHAPTER 3: BUILDING REGULATIONS; SECTION 3.02.001 AUTHORITY OF BUILDING OFFICIAL; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES AND INCLUDING PROVISIONS FOR THE AUTHORIZATION TO SEEK INJUNCTIVE RELIEF TO ENJOIN VIOLATIONS WHICH CONSTITUTE AN IMMINENT HAZARD OR DANGER TO THE PUBLIC HEALTH AND SAFETY; PROVIDING A PUBLICATION CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE 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.

17. **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.**

Library Director Donna Pierce made a brief presentation related to the proposed budget adjustment.

Councilmember Harrison made a motion to 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 Lamonica and Councilmember Diviney.

The following votes were cast:

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

The motion carried unanimously.

Mayor Ronald G. Harris opened Items 18 and 19 to be discussed and considered concurrently.

18. **Discuss, consider and take action on approval of an Interlocal Cooperation Agreement with Denton County for Fire Protection Services and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**

**19. Discuss, consider and take action on approval of an Interlocal Cooperation Agreement with Denton County for Ambulance Service and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**

Councilmember Diviney made a motion to approve an Interlocal Cooperation Agreement with Denton County for Fire Protection Services and an Interlocal Cooperation Agreement with Denton County for Ambulance Service 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, Daughhetee, Lamonica  
Nays: None  
Absent: None

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**

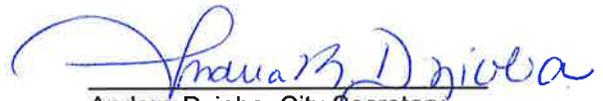
No discussion was held.

**J. ADJOURN**

The meeting adjourned at 8:44 p.m.

**APPROVED:**

  
Justin Diviney, Mayor Pro Tem

  
Andrea Dzioba, City Secretary