



**REGULAR CITY COUNCIL MEETING
MONDAY, JANUARY 4, 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 6:30 p.m.

B. QUORUM PRESENT

Those present were Mayor Ronald G. Harris, Jr. and Councilmembers Austin Petersen, Rhonda Harrison, Cindy Daughhetee and Larry Lamonica. Councilmember Justin Diviney was absent. Also present were Police Chief Terry Hargis, Fire Chief Ken Swindle, Public Works Director Mark Patterson, City Planner Tom Elgin, 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 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. Larry Lamonica, 206 W. Lake, advised the City Council that the petition to change the form of government "marked a very historic milestone in the history of the City." He wanted to thank everyone involved in circulating the petition. He stated that the feedback that was received from the public was encouraging.

E. PRESENTATION / DISCUSSION

Mayor Ronald G. Harris discussed and provided information related to Items No. 1, 3, and 4 concurrently.

- 1. Mayor's Update**
- 3. Discussion – Traffic Counts**
- 4. Discussion – W. Huffman**

Mayor Ronald G. Harris, Jr. advised that he expects to have numbers to the City Council as soon as they are available related to the new Fire Station, Public Works Facility, and Library projects. He also expects to receive construction schedules and will forward those to the City Council when they are received.

Discussion was held related to the traffic counts that were conducted with the assistance from the Krum Economic Development Corporation and how traffic has increased in the past few years.

Mayor Harris advised that it appears that the street improvements needed for W. Huffman will cost between \$92,000.00 and \$98,000.00. Councilmember Lamonica felt that there has been a lack of progress on streets and that funds should be utilized from the bond to cover the improvements needed to W. Huffman. He stated that overrun costs were taking from infrastructure. Councilmember Harrison stated that there is a necessity for the street for the new Fire Station to be up to standard.

2. Discussion – November 2015 Financials

Mayor Ronald G. Harris, Jr. opened the discussion item. There were no questions or discussion.

5. Discussion – Parks, Krum Park Advisory Board, and Krum Park Development Corporation

Councilmember Lamonica stated that he is pleased with the individuals on the Park Board but was advised that they weren't getting the information requested. He advised that when members came to City Hall that they were told that they could not meet with the City Planner or the Finance Director. City Secretary Andrea Dzioba advised that they were not told that they could not speak with those employees and were welcome to come in and do so but there is no necessity for those employees to attend meetings without any specific reason to do so. City Secretary Andrea Dzioba advised that any information that has been requested by the members has been provided and that she would find out if there were any items that they would like to receive but may not have asked for yet. She advised that the Krum Park Development Corporation members were in the process of being sworn in so that they could meet.

Councilmember Harrison asked if the Krum Park Advisory Board would continue to exist after the Krum Park Development Corporation begins to meet. City Secretary Andrea Dzioba advised that she had spoken with former Mayor Terri Wilson about that and that there was no plan related to discontinuing the Krum Park Advisory Board. That decision will be left up to the Krum Park Advisory Board and the Krum Park Development Corporation members.

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 Lamonica requested that Item No. 6 be considered separately.

- 7. Consider and take action on approval of the minutes from the September 22, 2015 Special City Council meeting.**
- 8. Consider and take action on the resignation of Austin Petersen from the Krum Economic Development Corporation.**
- 9. Consider and take action on the appointment of Paul Meine to the Krum Economic Development Corporation.**
- 10. 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.**

Councilmember Harrison made a motion to approve Items No. 7, 8, 9, and 10 on the consent agenda with a second by Councilmember Lamonica.

The following votes were cast:

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

The motion carried unanimously.

6. Consider and take action on approval of the minutes from the September 17, 2015 Special City Council meeting.

Councilmember Lamonica stated that "never in the history of this City has an editorial page of comments been attached to the minutes." He stated that the comments were "exaggerated, inflammatory, inaccurate, false," and "unprofessional". He initially thought that he would ask the attachment to be removed. He decided after thought that they should be included.

Councilmember Daughhete asked City Secretary Andrea Dzioba if she had been asked to include the attachment in the minutes. She advised that she had not been asked to but that it was an accurate reflection of that meeting. City Secretary Andrea Dzioba advised that she would complete the minutes however the City Council would prefer.

Councilmember Harrison asked Mayor Harris how he felt about the attachment. Mayor Harris stated that it was completely accurate and that if it happened at the meeting that it should be included in the minutes.

Councilmember Lamonica made a motion to approve the minutes from the September 17, 2015 Special City Council meeting with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried.

G. REGULAR AGENDA ITEMS

- 11. Hold a public hearing on AN ORDINANCE OF THE CITY OF KRUM AMENDING THE OFFICIAL ZONING MAP FOR THE CITY BY CHANGING THE ZONING ON A 1.14 ACRE TRACT OF LAND SITUATED IN THE CHARLES DESPALLIER SURVEY, ABSTRACT NO. 370, CITY OF KRUM, DENTON COUNTY, TEXAS, AND MORE COMMONLY KNOWN AS LOTS 5 THROUGH 9, BLOCK 52, OF THE OLD TOWN KRUM ADDITION AS RECORDED IN THE PLAT RECORDS OF DENTON COUNTY, TEXAS, BY CHANGING THE ZONING DISTRICT FROM SINGLE-FAMILY-7.5 (SF-7.5) TO PLANNED DEVELOPMENT SINGLE-FAMILY-7.5 (PD-SF-7.5). Owners and Applicants: Jeff and Laurie Neihart. Case: ZON-2015-2.**

City Planner Tom Elgin provided an introduction related to the public hearing for the proposed ordinance. Extensive discussion was held by the City Council related to the zoning change request.

Mayor Ronald G. Harris, Jr. opened the public hearing at 7:26 p.m.

Mr. Wayne Hussey asked if they would be wood frame houses and was advised that they would be wood frame houses. He was concerned that they would deteriorate in time and look bad. He is concerned that these homes will become rental properties. He would like them to be at least 3-sided brick homes. He was concerned about the current width of the street.

Ms. Sandra Bowman stated that she was also concerned about the current width of the street.

Mayor Ronald G. Harris, Jr. closed the public hearing at 7:33 p.m.

12. **Discuss, consider and take action on AN ORDINANCE OF THE CITY OF KRUM AMENDING THE OFFICIAL ZONING MAP FOR THE CITY BY CHANGING THE ZONING ON A 1.14 ACRE TRACT OF LAND SITUATED IN THE CHARLES DESPALLIER SURVEY, ABSTRACT NO. 370, CITY OF KRUM, DENTON COUNTY, TEXAS, AND MORE COMMONLY KNOWN AS LOTS 5 THROUGH 9, BLOCK 52, OF THE OLD TOWN KRUM ADDITION AS RECORDED IN THE PLAT RECORDS OF DENTON COUNTY, TEXAS, BY CHANGING THE ZONING DISTRICT FROM SINGLE-FAMILY-7.5 (SF-7.5) TO PLANNED DEVELOPMENT SINGLE-FAMILY-7.5 (PD-SF-7.5); PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR AMENDING OF THE OFFICIAL ZONING MAP ACCORDINGLY; REQUIRING COMPLIANCE WITH ALL OTHER APPLICABLE ORDINANCES; PROVIDING FOR FINDINGS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE. Owners and Applicants: Jeff and Laurie Neihart. Case: ZON-2015-2.**

A brief discussion was held by the City Council about the proposed ordinance.

Councilmember Harrison made a motion to approve an ORDINANCE OF THE CITY OF KRUM AMENDING THE OFFICIAL ZONING MAP FOR THE CITY BY CHANGING THE ZONING ON A 1.14 ACRE TRACT OF LAND SITUATED IN THE CHARLES DESPALLIER SURVEY, ABSTRACT NO. 370, CITY OF KRUM, DENTON COUNTY, TEXAS, AND MORE COMMONLY KNOWN AS LOTS 5 THROUGH 9, BLOCK 52, OF THE OLD TOWN KRUM ADDITION AS RECORDED IN THE PLAT RECORDS OF DENTON COUNTY, TEXAS, BY CHANGING THE ZONING DISTRICT FROM SINGLE-FAMILY-7.5 (SF-7.5) TO PLANNED DEVELOPMENT SINGLE-FAMILY-7.5 (PD-SF-7.5); PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR AMENDING OF THE OFFICIAL ZONING MAP ACCORDINGLY; REQUIRING COMPLIANCE WITH ALL OTHER APPLICABLE ORDINANCES; PROVIDING FOR FINDINGS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE. Owners and Applicants: Jeff and Laurie Neihart. Case: ZON-2015-2. with amendments as recommended by the Planning and Zoning Commission with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried.

13. **Discuss, consider and take action on selection of engineering firm for the design of a flow equalization basin for the City of Krum's Wastewater Treatment Plant.**

Public Works Director Mark Patterson briefly introduced the item and advised that they had advertised for engineering firms to submit statements of qualifications and one submittal was received from Freese and Nichols, Inc. Discussion was held by the City Council.

Councilmember Harrison made a motion to approve the selection of Freese and Nichols, Inc. as the engineering firm for the design of a flow equalization basin for the City of Krum's Wastewater Treatment Plant with a second by Councilmember Petersen.

The following votes were cast:

Ayes: Petersen, Harrison, Daughhetee, Lamonica

Nays: None

Absent: Diviney

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

Councilmember Lamonica requested that we have Executive Session related to the current litigation. He also requested that we have an update related to streets.

Councilmember Harrison requested that there is an item to discuss the petition and any numbers received from Commissioner Eads' office.

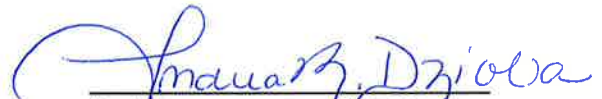
Mayor Harris requested that there be a budget amendment for Celebrate Krum.

J. ADJOURN

The meeting adjourned at 7:47 p.m.

APPROVED:


Justin Diviney, Mayor Pro Tem


Andrea Dzioba, City Secretary