



REGULAR CITY COUNCIL MEETING MONDAY, MAY 2, 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 6:31 p.m.

B. QUORUM PRESENT

Those present were Mayor Ronald G. Harris, Jr., 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 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.

D. PRESENTATION

1. Proclamation – “Motorcycle Safety and Awareness Month”

Mayor Ronald G. Harris, Jr. read the proclamation for “Motorcycle Safety and Awareness Month” and presented it to Joann “Toes” York along with members from Denton Abate, Lost Riders Cooke County MC, Iron Guardians, Organized Chaos MC, and Boca Texas.

2. Proclamation – “Police Week”

Mayor Ronald G. Harris, Jr. read the proclamation for “Police Week” and presented it to Police Chief Terry Hargis and Officer Jeffrey Oliver. Chief Hargis spoke about “Police Week” and what it means to police officers across the country.

3. Proclamation – “Emergency Medical Services (EMS) Week”

Mayor Ronald G. Harris, Jr. read the proclamation and presented it to Fire Chief Ken Swindle. Chief Swindle thanked the Mayor and City Council for recognizing “Emergency Medical Services (EMS) Week.”

4. Mayor’s Update.

Mayor Harris informed the City Council that the Fire Station was coming along and they should be meeting with the architect on the Library. Mayor Harris expects to have more information in the next three weeks from Denton County regarding assistance for streets.

Mayor Harris advised that the canvassing and swearing in should be on Monday, May 16, 2016.

Mayor Harris also discussed and clarified some of the misinformation related to the tax rates of other cities that was mentioned previously.

5. Discussion – March 2016 Financials.

A brief discussion was held by the City Council related to the street bond funds.

- E. 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 Street, spoke to the City Council about his plants, gardening, and his large heirloom collection.

Ms. Lisa Barber, 315 Southview Court, advised that she is opposed to the proposed Hopkins multi-family development and was concerned about the large amount of traffic at FM 1173 and Hopkins.

Mr. Jim Barber, 315 Southview Court, stated that density needs to be limited and that he didn't want any additional multi-family.

Ms. Sandra Williamson, 5113 Mountain View, inquired about how long it would be until the road was fixed at Hopkins and FM 1173. She is opposed to more development on Hopkins.

Mr. Ken Sutton, 5127 Mountain View, discussed water quality, the property tax exemption for 65 and over was too low in Krum, and that the City should de-annex everything east of Hopkins.

Mr. Mike Strand, 7 Evans, expressed that the Police Department never asked to handle code enforcement. They only enforce the code that is in place as requested by the City Council. He advised that the City Council can hire someone for code enforcement or change the code if the Council was not happy with the way it is being handled.

Mr. Ruben Rivas, 5122 Mountain View, advised that he is opposed to the proposed multi-family on Hopkins and stated that the infrastructure is not ready for it.

Ms. Brooke Fouts, 5014 Spruce Street, stated that she is opposed to the proposed multi-family on Hopkins. She advised that there is flooding at the corner of FM 1173 and Hopkins and that the Fire Department doesn't have the apparatus to deal with the proposed development and that it should be left as commercial.

Ms. Ann Havins, 5100 Mountain View, stated that she agrees with the others and is opposed to the proposed multi-family development and that there isn't any room on the road or in the schools.

Ms. Denise Burns, 5013 Ute Court, stated that she also agrees with the others and is opposed to the proposed multi-family development. She stated that it should be left as commercial.

Ms. Chauntae Davis, 14005 S. FM 372, Valley View, advised that she was moving her business out of Krum due to having her business dealings questioned.

Ms. Denise Burns, 5013 Ute Court, stated that she was here to support Chauntae Davis and her integrity. Ms. Burns advised that Chauntae served snowcones to 375 kids, 60 employees, and 200 volunteers at no charge.

- 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.

Item No. 8 was pulled from the Consent Agenda.

6. **Consider and take action on approval of the minutes from the April 4, 2016 Regular City Council meeting.**
7. **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 the consent agenda Items No. 6 and 7 with a second by Councilmember Diviney.

The following votes were cast:

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

The motion carried unanimously.

8. **Consider and take action on approval of a RESOLUTION DIRECTING ONCOR ELECTRIC DELIVERY COMPANY, LLC TO FILE CERTAIN INFORMATION WITH THE CITY OF KRUM; SETTING A PROCEDURAL SCHEDULE FOR THE GATHERING AND REVIEW OF NECESSARY INFORMATION IN CONNECTION THEREWITH; SETTING DATES FOR THE FILING OF THE CITY'S ANALYSIS OF THE COMPANY'S FILING AND THE COMPANY'S REBUTTAL TO SUCH ANALYSIS; RATIFYING THE HIRING OF LEGAL COUNSEL AND CONSULTANTS; RESERVING THE RIGHT TO REQUIRE THE REIMBURSEMENT OF THE CITY OF KRUM'S RATE CASE EXPENSES; SETTING A PUBLIC HEARING FOR THE PURPOSES OF DETERMINING IF THE EXISTING RATES OF ONCOR ELECTRIC DELIVERY COMPANY ARE UNREASONABLE OR IN ANY WAY IN VIOLATION OF ANY PROVISION OF LAW AND THE DETERMINATION BY THE CITY OF KRUM OF JUST AND REASONABLE RATES TO BE CHARGED BY ONCOR ELECTRIC DELIVERY COMPANY, LLC.; NOTING COMPLIANCE WITH OPEN MEETINGS LAW; PROVIDING NOTICE OF PASSAGE.**

The attorney from Steering Committee requested that action be put on hold. No action was taken on this item.

G. REGULAR AGENDA ITEMS

9. **Discuss, consider and take action on consideration of waivers associated with the Replat of a portion of Lot 5, Porter Addition No. 1, said 1.70 acre property being located at the southwest corner of Radecke Road and Hopkins Road, and situated in the Charles Despallier Survey, Abstract No. 370, Denton County, Texas. The purpose of the replat is create a single, 1.70 acre residential lot. Applicant: Eagle Surveying. Owner: John Porter Auto Sales, Inc. Case: RPT-2016-01.**

City Planner Tom Elgin made a presentation related to the waivers associated with the Replat of a portion of Lot 5, Porter Addition No. 1. Discussion was held by the City Council.

Councilmember Diviney made a motion approve the waivers associated with the replat of Lot 5R-1, Porter Addition No. 1 as follows: 1) to waive the additional right-of-way dedication along Radecke Road and Hopkins Road and 2) to waive either the required minimum lot depth if the property is fronted on Radecke Road or to waive the required minimum lot width if the property is fronted on Hopkins Road 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.

10. **Hold a Public Hearing on a Replat of of Lots 2R1 and 2R2, Block 8, Spurlock Addition, said approximate 0.5 acre property being located on the south side of West Jones Street, approximately 200 feet west of Jackson Street, and situated in the Charles Despallier Survey, Abstract No. 370 and the P.L. Langford Survey, Abstract No. 733, City of Krum, Denton County, Texas. The purpose of the replat is create a single lot from the existing two lots. Owner: Not Quite 4A Properties, Ltd. Applicant: Eagle Surveying. Case: RPT-2016-02.**

Mayor Ronald G. Harris, Jr. opened the public hearing at 7:43 p.m. The following individuals addressed the City Council during the public hearing:

Mr. Trey Willis, 149 North Point, inquired about the location and use of the property.

Ms. Sandra Williamson, 5113 Mountain View, expressed her concerns about size and density.

Mr. Matt Guest, 414 Jackson, advised that citizens are very unhappy with the proposal.

Mr. Mike Strand, 7 Evans, inquired about what would happen if the replat was denied.

Mayor Harris closed the public hearing at 7:53 p.m.

11. **Discuss, consider and take action on approval of a Replat of Lots 2R1 and 2R2, Block 8, Spurlock Addition, said approximate 0.5 acre property being located on the south side of West Jones Street, approximately 200 feet west of Jackson Street, and situated in the Charles Despallier Survey, Abstract No. 370 and the P.L. Langford Survey, Abstract No. 733, City of Krum, Denton County, Texas. The purpose of the replat is create a single lot from the existing two lots. Owner: Not Quite 4A Properties, Ltd. Applicant: Eagle Surveying. Case: RPT-2016-02.**

City Planner Tom Elgin provided background information related to the requested Replat of Lots 2R1 and 2R2, Block 8, Spurlock Addition. Discussion was held by the City Council.

Councilmember Harrison made a motion approve a Replat of Lots 2R1 and 2R2, Block 8, Spurlock Addition, said approximate 0.5-acre property being located on the south side of West Jones Street, approximately 200 feet west of Jackson Street, and situated in the Charles Despallier Survey, Abstract No. 370 and the P.L. Langford Survey, Abstract No. 733, City of Krum, Denton County, Texas with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried.

12. **Hold a Public Hearing on a multifamily residential planned development zoning request for an approximate 10.0 acre tract of land, said property being generally located on the west side of Hopkins Road approximately 500 feet north of E. Mc Cart Street / FM 1173, and known as Tract 31C in the Charles Despallier Survey, Abstract No. 370, City of Krum, Denton County, Texas. The existing zoning is Commercial (C). The proposed zoning is Planned Development-Multifamily-15 (PD-MF-15). The proposed planned development zoning is requesting consideration to amend density, parking, building design and exterior construction materials, and other standards for the Multifamily-15 (MF-15) zoning district. Owners: Gary & Bettye Barber. Applicant: Crannell, Crannell & Martin Corporation. Case: ZON-2016-1.**

City Planner Tom Elgin advised that the applicant has requested to withdraw the application and the withdrawal of the application precludes the need for a public hearing.

13. **Discuss, consider and take action on approval of a multifamily residential planned development zoning request for an approximate 10.0 acre tract of land, said property being generally located on the west side of Hopkins Road approximately 500 feet north of E. McCart Street / FM 1173, and known as Tract 31C in the Charles Despallier Survey, Abstract No. 370, City of Krum, Denton County, Texas. The existing zoning is Commercial (C). The proposed zoning is Planned Development-Multifamily-15 (PD-MF-15). The proposed planned development zoning is requesting consideration to amend density, parking, building design and exterior construction materials, and other standards for the Multifamily-15 (MF-15) zoning district. Owners: Gary & Bettye Barber. Applicant: Crannell, Crannell & Martin Corporation. Case: ZON-2016-1.**

No action taken. Application was withdrawn by applicant.

14. **Discuss, consider and take action on providing direction to and expectations for the Krum Park Development Corporation.**

Councilmember Diviney introduced this agenda item. Mr. Trey Willis advised that the board wanted to take care of what the City needs first including mowing. They have moved quickly due to the time of year. Mr. Willis advised that they plan to pull together goals and lists of things that they would like to accomplish including lighting, soccer fields, water fountains, parking at the East Side Park, football field, disc golf, and a greenbelt. Discussion was held by the City Council. No action was taken on this agenda item.

Councilmember Daughhetee left the meeting at 8:21 p.m. and returned at 8:24 p.m.

15. **Discuss, consider and take action on approval of sharing of cost of City of Krum entry/gateway sign between the City of Krum and the Krum Economic Development Corporation.**

Mr. Thomas Callarman, Chairman of the Krum Economic Development Corporation, introduced this agenda item. Mr. Mike Strand provided the City Council with an alternate option related to sign shape and materials used. Discussion was held by the City Council.

Councilmember Petersen made a motion to recommend that the Krum Economic Development Corporation obtain three (3) quotes to bring back to the City Council related to the City of Krum entry/gateway sign and stipulates that the Krum Economic Development Corporation will fund the project in full with a second by Councilmember Diviney.

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 downtown parking lot and parking space striping.

Councilmember Lamonica left the meeting at 8:40 p.m. and returned at 8:44 p.m.

Public Works Director Mark Patterson provided some background information related to the downtown parking lot and parking space striping project. Mr. Thomas Callarman, Chairman of the Krum Economic Development Corporation, also provided information related to discussion at the Krum Economic Development Corporation meeting. Discussion was held by the City Council.

Councilmember Diviney made a motion to approve the downtown parking lot and parking space striping and stipulate that the Krum Economic Development Corporation will fund the project in full in an amount not to exceed \$10,000.00 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.

17. Discuss, consider and take action on suggestions and input from the City Council for amendments to the Code of Ordinances of the City of Krum, Chapter 2 Animal Control, Article 2.06 Keeping Livestock, Bees and Other Animals.

Mayor Harris introduced the agenda item. Discussion was held by the City Council including, but not limited to, not wanting citizens to have roosters, determining a distance requirement, sanitation, and quantity of chickens. Councilmembers can forward any suggestions and recommendations to City Secretary Andrea Dzioba.

18. Discuss, consider and take action on approval of a change of the regularly scheduled City Council meetings from July 4, 2016 to July 6, 2016 and September 5, 2016 to September 7, 2016.

Councilmember Lamonica made a motion approve a change of the regularly scheduled City Council meetings from July 4, 2016 to July 6, 2016 and September 5, 2016 to September 7, 2016 with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried.

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.

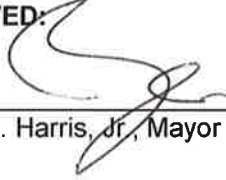
I. FUTURE AGENDA ITEMS

No future agenda items were requested.

J. ADJOURN

The meeting adjourned at 9:02 p.m.

APPROVED:



Ronald G. Harris, Jr., Mayor



Andrea Dzioba, City Secretary