



# REGULAR CITY COUNCIL MEETING MONDAY AUGUST 1, 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**  
**Mike Strand, 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., Councilmembers Austin Petersen, Rhonda Harrison, Justin Diviney, Cindy Daughhetee, and Mike Strand. Also present were Finance Director Shelly Neckar; Fire Chief Ken Swindle; Public Works Director Mark Patterson (arrived at 8:09 p.m.); City Planner Tom Elgin; Library Director Donna Pierce; Police Corporal Matt Guest; City Attorney William Scazzero; 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. 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. Devon "Trey" Willis, 149 North Point Drive, spoke about the Parks Development Corporation wanting to re-bid for mowing; their projects, including a proposed restroom on the north side of Westside Park and concrete work; and the Public Works Director position.

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

### F. PRESENTATION

#### 2. Proclamation – Police Department and Fire Department

Mayor Harris read the proclamation and presented same to members of the Police Department and Fire Department. Fire Chief Ken Swindle and Police Corporal Matt Guest expressed their thanks for the support that they have received from the City and the community.

### E. EXECUTIVE SESSION

Mayor Harris announced that the City Council would convene in executive session at 6:45 pm.

1. After determining a quorum is present, the City Council will convene in executive session pursuant to Texas Government Code, Section 551.74 – Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee and Texas Government Code, Section 551.072 – Deliberate the purchase, exchange, lease or value of real property.

- a. Public Works Director
- b. Lots 18 and 19, Block 19, of the Old Town Krum Addition, said property being located on the south side of West Lake Street

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 551.074 and/or Section 551.072.

**Adjourn into Open Meeting.**

The City Council reconvened into the open meeting at 7:36 p.m.

**Action on Executive Session Items No. 1a and 1b if necessary.**

Councilmember Strand made a motion to approve that the Mayor continue to work toward filling the Public Works Director position with a second by Councilmember Diviney.

The following votes were cast:

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

The motion carried unanimously.

Councilmember Strand made a motion for the Mayor to begin looking at leasing the property and begin negotiation regarding remodeling and leasing the property (Lots 18 and 19, of the Old Town Krum Addition) with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

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.

**F. PRESENTATION**

**3. Mayor's Update.**

Mayor Harris informed the City Council that the Library had started construction. He also talked about street projects that Denton County may be helping to complete. Additionally, he mentioned that pricing related to the concrete replacement on North Point was still being compiled.

**4. Discussion – June 2016 Financials.**

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

**5. Discussion - Streets**

This discussion item was discussed in the Mayor's Update.

**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.

- 6. Consider and take action on approval of the minutes from the July 6, 2016 Regular City Council meeting.**
- 7. Consider and take action on approval of the minutes from the July 18, 2016 Special City Council meeting.**
- 8. Consider and take action on approval of an Interlocal Cooperation Agreement for Tax Collection with Denton County and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**

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

The following votes were cast:

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

The motion carried unanimously.

**H. REGULAR AGENDA ITEMS**

- 9. Hold the first public hearing regarding the proposed voluntary annexation of an approximate 10.382 tract of land situated in the P.J. Langford Survey, Abstract No. 733, Denton County, Texas, commonly known as Tract 10 of said survey, and situated on the west side of F.M. 156, approximately 230 feet south of South Street. Owner & Applicant: Brad Carrell, C&G Electric, Inc. Case: ANX-2016-01.**

Mayor Ronald G. Harris, Jr. opened the public hearing at 7:50 p.m. The following individual addressed the City Council during the public hearing:

Mr. Dale Gant, 905 Clearview, stated that he thought that the business was advantageous.

Mayor Harris closed the public hearing at 7:51 p.m.

- 10. Hold a Public Hearing on a Replat of Lots 13R1, 13R2 & 13R3, Friendly Acres Addition, Phase II, said approximate 10.91 acre property being located on the west side of F.M. 156 approximately 3,500 feet north of the intersection of F.M. 2450 and F.M. 156, and situated in the Charles Despallier Survey, Abstract No. 370, City of Krum, Denton County, Texas. The purpose of the replat is create three lots from the existing Lot 13. Owner: Eddie and Tammie Flemister. Applicant: KAZ Surveying, Inc. Case: RPT-2016-04.**

Mayor Ronald G. Harris, Jr. opened Items No. 10 and 11. City Planner Tom Elgin provided an overview related to the replat of Lots 13R1, 13R2 and 13R3, Friendly Acres Addition, Phase II.

Mayor Ronald G. Harris, Jr. opened the public hearing at 7:52 p.m. The following individual addressed the City Council during the public hearing:

Mr. Trey Willis, 149 North Point, inquired about whether the Flemisters were moving.

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

11. **Discuss, consider and take action on approval of a Replat of Lots 13R1, 13R2 & 13R3, Friendly Acres Addition, Phase II, said approximate 10.91 acre property being located on the west side of F.M. 156 approximately 3,500 feet north of the intersection of F.M. 2450 and F.M. 156, and situated in the Charles Despallier Survey, Abstract No. 370, City of Krum, Denton County, Texas. The purpose of the replat is create three lots from the existing Lot 13. Owner: Eddie and Tammie Flemister. Applicant: KAZ Surveying, Inc. Case: RPT-2016-04.**

Councilmember Harrison made a motion to approve a Replat of Lots 13R1, 13R2 & 13R3, Friendly Acres Addition, Phase II, said approximate 10.91 acre property being located on the west side of F.M. 156 approximately 3,500 feet north of the intersection of F.M. 2450 and F.M. 156, and situated in the Charles Despallier Survey, Abstract No. 370, City of Krum, Denton County, Texas as presented with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

12. **Hold a Public Hearing on a request for a specific use permit (SUP) for an accessory dwelling unit at 907 Clearview Circle, known as Lot 10, Block B, of the Meadows Subdivision. The property is located on the north side of Clearview Circle, approximately 450 feet east of Evans Drive / Radecke Road. The existing zoning is Single-Family-20 (SF-20). The purpose of the proposed specific use permit (SUP) is to allow a second residential dwelling on the property. Owner: Steve Skelton. Applicant: Don Barber. Case: ZON-2016-04.**

Mayor Ronald G. Harris, Jr. opened Items No. 12 and 13. City Planner Tom Elgin provided an overview related to the request for a specific use permit (SUP) for an accessory dwelling unit at 907 Clearview Circle. Discussion was held by the City Council.

Mayor Ronald G. Harris, Jr. opened the public hearing at 7:56 p.m. The following individual addressed the City Council during the public hearing:

Mr. Dale Gant, 905 Clearview, stated that the current owner of the property has made improvements and he is in favor of the request.

Mayor Harris closed the public hearing at 7:57 p.m.

13. **Discuss, consider and take action on an ordinance approving a specific use permit (SUP) for an accessory dwelling unit at 907 Clearview Circle, known as Lot 10, Block B, of the Meadows Subdivision. The property is located on the north side of Clearview Circle; approximately 450 feet east of Evans Drive / Radecke Road. The existing zoning is Single-Family-20 (SF-20). The purpose of the proposed specific use permit (SUP) is to allow a second residential dwelling on the property. Owner: Steve Skelton. Applicant: Don Barber. Case: ZON-2016-04.**

Councilmember Harrison made a motion to approve a specific use permit (SUP) for an accessory dwelling unit at 907 Clearview Circle, known as Lot 10, Block B, of the Meadows Subdivision. The property is located on the north side of Clearview Circle, approximately 450 feet east of Evans Drive / Radecke Road with a second by Councilmember Diviney.

The following votes were cast:

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

The motion carried unanimously.

**14. Hold a Public Hearing on the proposed budget of the Krum Crime Control and Prevention District for Fiscal Year 2016-2017.**

Mayor Ronald G. Harris, Jr. opened Items No. 14 and 15. Councilmember Mike Strand introduced Police Corporal Matt Guest who was available to answer any questions.

Mayor Ronald G. Harris, Jr. opened the public hearing at 8:02 p.m. The following individual addressed the City Council during the public hearing:

Mr. Trey Willis, 149 North Point, inquired about the vehicle was a lease or lump sum payment.

Mayor Harris closed the public hearing at 8:03 p.m.

**15. Discuss, consider and take action on approval of the proposed budget of the Krum Crime Control and Prevention District for Fiscal Year 2016-2017.**

Councilmember Petersen made a motion to approve the proposed budget of the Krum Crime Control and Prevention District for Fiscal Year 2016-2017 with a second by Councilmember Diviney.

The following votes were cast:

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

The motion carried unanimously.

**16. Discuss and direct staff to initiate rezoning of Lots 18 and 19, Block 19, of the Old Town Krum Addition, said property being located on the south side of West Lake Street, approximately 250 feet west of North Second Street.**

City Planner Tom Elgin provided an introduction to the initiation of rezoning of Lots 18 and 19, Block 19, of the Old Town Krum Addition. A brief discussion was held by the City Council.

Councilmember Harrison made a motion to direct staff to initiate rezoning of Lots 18 and 19, Block 19, of the Old Town Krum Addition, said property being located on the south side of West Lake Street, approximately 250 feet west of North Second Street with a second by Councilmembers Strand and Diviney.

The following votes were cast:

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

The motion carried unanimously.

**17. Hold the second public hearing regarding the proposed voluntary annexation of an approximate 10.382 tract of land situated in the P.J. Langford Survey, Abstract No. 733, Denton County, Texas, commonly known as Tract 10 of said survey, and situated on the west side of F.M. 156, approximately 230 feet south of South Street. Owner & Applicant: Brad Carrell, C&G Electric, Inc. Case: ANX-2016-01.**

Mayor Ronald G. Harris, Jr. opened the public hearing at 8:09 p.m. The following individual addressed the City Council during the public hearing:

Mr. Dale Gant, 905 Clearview, stated that he was in favor of the proposed voluntary annexation.

Mayor Harris closed the public hearing at 8:10 p.m.

- 18. Discuss, consider and take action to approve the purchase and installation of a lift station to service the new library and the E. Huffman Street area and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**

Public Works Director Mark Patterson provided an introduction related to the necessity for a lift station to service the new library and the E. Huffman Street area. Discussion was held by the City Council.

Councilmember Harrison made a motion to approve the purchase and installation of a lift station to service the new library and the E. Huffman Street area and the engineering pursuant to that objective in an amount not to exceed \$30,000.00 and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum with a second by Councilmembers Strand and Diviney.

The following votes were cast:

Ayes: Petersen, Harrison, Diviney, Daughetee, Strand  
Nays: None  
Absent: None

The motion carried unanimously.

- 19. Discuss, consider and take action on approval of AN ORDINANCE OF THE CITY OF KRUM, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES; APPENDIX A: FEE SCHEDULE, ARTICLE A3.000: ANIMAL CONTROL RELATED FEES; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

Councilmember Petersen made a motion to approve an ORDINANCE OF THE CITY OF KRUM, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES; APPENDIX A: FEE SCHEDULE, ARTICLE A3.000: ANIMAL CONTROL RELATED FEES; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT; 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, Daughetee, Strand  
Nays: None  
Absent: None

The motion carried unanimously.

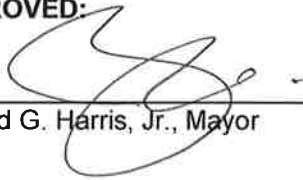
## **I. FUTURE AGENDA ITEMS**

Councilmember Diviney requested that the Park Development Corporation projects/expenditures be on the next agenda.

**J. ADJOURN**

The meeting adjourned at 8:25 p.m.

**APPROVED:**

  
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Ronald G. Harris, Jr., Mayor

  
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Andrea Dzioba, City Secretary