



**REGULAR CITY COUNCIL MEETING
WEDNESDAY, SEPTEMBER 4, 2019 at 6:30 P.M.**

KRUM CITY HALL – 146 W. McCART STREET

Ronald G. Harris, Jr., Mayor
Austin Petersen, Councilmember - Pl. 1
Melynda Rivers, Councilmember - Pl. 3
Trey Sargent, Assistant City Attorney

Rhonda Harrison, Mayor Pro Tem - Pl. 2
Richard Troth, Councilmember – Pl. 4
Mike Strand, Councilmember - Pl. 5
Andrea Dzioba, City Secretary

MINUTES

A. CALL TO ORDER

Mayor Pro Tem Rhonda Harrison called the meeting to order at 6:32 p.m.

B. QUORUM PRESENT

Those present were Mayor Pro Tem Rhonda Harrison, Councilmembers Richard Troth, Austin Petersen, and Mike Strand. Mayor Ronald G. Harris, Jr. and Councilmember Melynda Rivers were absent. Also present were Finance Director Karen Hollingsworth; Fire Chief Ken Swindle; Police Chief Terry Hargis; Public Works Director Devon Kennedy; Development Services Director Tom Elgin; Library Director Donna Pierce; Assistant City Attorney Trey Sargent; and City Secretary Andrea Dzioba.

C. INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Pro Tem Harrison led the pledges to the United States Flag and the Texas Flag.

The invocation was given by Councilmember Austin Petersen.

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. Proclamation – “Live United Month”

Mayor Pro Tem Rhonda Harrison read the proclamation and presented same to Teddy Yan, Director of Financial Initiatives for the United Way of Denton County, and Pat Sherman and Ashlie Bagley, United Way of Denton Board Members.

2. Presentation – Certificates of Appreciation – Girl Scout Troop 3922

Mayor Pro Tem Rhonda Harrison and Library Director Donna Pierce presented certificates of appreciate to Junior Girl Scouts Scarlett Losh, Micah Parrent, McKenize Coberley; Girl Scout Cadettes Ally Price, Macie Parrent, Stacie Gray and Ashley Johnson; and Troop leaders Sandy Clere and Mimi Christensen. The Troop made a picnic table and bench for the Krum Public Library.

3. Discussion – July 2019 Financials

Mayor Pro Tem Rhonda Harrison opened the discussion item. There were no questions or discussion.

4. Discussion – December 2018, March 2019 and June 2019 Investment Reports

Finance Director Karen Hollingsworth provided information to the City Council related to the investment reports included in their packet. There were no questions or discussion.

5. Discussion – Impact of legislation approved in the 86th regular session

Development Services Director Tom Elgin gave an extensive presentation related to the highlights of the bills filed and approved during the 86th legislative session.

6. Discussion – Parade of Lights

Mayor Pro Tem Harrison anticipated that some citizens would be in attendance related to the concerns about the parade. She advised that this will be revisited at a future meeting when the Mayor and Councilmember Melynda Rivers were also 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.

7. Consider and take action on acceptance of the resignation of Rhonda Harrison from the Krum Economic Development Corporation.

8. Consider and take action on approval of the appointment of Melynda Rivers to the Krum Economic Development Corporation.

9. Consider and take action on approval of a Fiscal Fiduciary Agreement with the North Texas Library Consortium and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.

10. Consider and take action on approval of an Interlocal Cooperation Contract for the Failure to Appear Program with the Texas Department of Public Safety and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.

11. Consider and take action on an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2019 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

- 12. Consider and take action on AN ORDINANCE OF THE CITY OF KRUM, TEXAS, ADOPTING AMENDMENTS TO THE BUDGET OF THE CITY OF KRUM, TEXAS FOR THE FISCAL YEAR 2018-2019; 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 Strand made a motion to approve the consent agenda as presented with a second by Councilmember Petersen.

The following votes were cast:

Ayes: Troth, Petersen, Strand
Nays: None
Abstain: Harrison
Absent: Rivers

The motion carried.

G. REGULAR AGENDA ITEMS

- 13. Hold a public hearing on a proposal to consider a tax rate, which will exceed the lower of the rollback rate or the effective tax rate and will increase total tax revenues from properties on the tax roll in the preceding tax year by 11.55%.**

Mayor Pro Tem Harrison announced that this is the first of two public hearings to discuss the Fiscal Year 2019-2020 proposed tax rate of \$.647489 that represents the same tax rate as the Fiscal Year 2018-2019 tax rate of \$.647489. The second public hearing will be held on September 10, 2019 at 6:30 p.m. at the Krum City Hall located at 146 W. McCart, Krum, Texas. The City Council will vote on both the Fiscal Year 2019-2020 Proposed Budget and the proposed tax rate at a meeting scheduled on September 18, 2019 at 6:30 p.m. located at Krum City Hall at 146 W. McCart, Krum, Texas. Once the public hearing is opened, the public is encouraged to express their views.

Mayor Pro Tem Harrison opened the public hearing at 7:24 p.m.

No one was present to speak during the public hearing.

Mayor Pro Tem Harrison closed the public hearing at 7:25 p.m.

No further action was necessary.

- 14. Discuss, consider and take action on a statement of qualifications and engagement letter with P3Works, LLC, and to authorize the Mayor to execute all agreement documents on behalf of the City of Krum.**

Development Services Director Tom Elgin provided information related to the statement of qualifications and engagement letter with P3Works, LLC. Mary Petty was in attendance at the City Council meeting and introduced herself to the City Council.

Councilmember Strand made a motion to approve the engagement letter with P3Works, LLC, and authorize the Mayor to execute all agreement documents on behalf of the City of Krum with a second by Councilmember Troth.

The following votes were cast:
Ayes: Troth, Petersen, Strand
Nays: None
Abstain: Harrison
Absent: Rivers

The motion carried.

- 15. Authorization for city staff to initiate a Specific Use Permit (SUP) application for itinerant retail vendor use (food trucks) for Exeter Addition, Block A, Lot 1, and Original Town of Krum Addition, Block 5, Lots 2 and 3. These tracts of land are located on the north side of FM 1173/McCart Street, due west of the BNSF railroad, and are the same tracts of land for which the City of Krum has approved a Business Incentive and Chapter 380 Economic Development Agreement with The Chamberlain Trust.**

Development Services Director Tom Elgin provided background information related to the agenda item to initiate a Specific Use Permit (SUP) application for itinerant retail vendor use (food trucks).

Councilmember Strand made a motion to approve authorization for staff to initialize a Specific Use Permit (SUP) application for an itinerant retail vendor use (food trucks) for the Chamberlain Trust property with a second by Councilmember Petersen.

The following votes were cast:
Ayes: Troth, Petersen, Strand
Nays: None
Abstain: Harrison
Absent: Rivers

The motion carried.

- 16. Discuss, consider and take action related to the review of the Investment Policy for the City of Krum.**

Finance Director Karen Hollingsworth provided the City Council with information related to the Investment Policy. The Investment Policy was reviewed by the City Council and there are no proposed changes at this time. No further action was necessary.

- 17. Discuss, consider and take action on approval of a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, AUTHORIZING PARTICIPATION IN TEXSTAR AND DELEGATING AUTHORIZED REPRESENTATIVES.**

Finance Director Karen Hollingsworth provided background information related to TexSTAR and diversifying our accounts.

Councilmember Petersen made a motion to approve a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, AUTHORIZING PARTICIPATION IN TEXSTAR AND DELEGATING AUTHORIZED REPRESENTATIVES a second by Councilmember Troth.

The following votes were cast:
Ayes: Troth, Petersen, Strand
Nays: None
Abstain: Harrison
Absent: Rivers

The motion carried.

- 18. Discuss, consider and take action on approval of a RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A PARTICIPATION AGREEMENT AND TRUST INSTRUMENT FOR PARTICIPATION IN A PUBLIC FUNDS INVESTMENT POOL, DESIGNATION THE BOARD OF TRUSTEES OF THE POOL AS AN AGENCY AND INSTRUMENTALITY TO SUPERVISE THE POOL, APPROVING INVESTMENT POLICIES OF THE POOL, APPOINTING AUTHORIZED REPRESENTATIVES AND DESIGNATING INVESTMENT OFFICERS.**

Finance Director Karen Hollingsworth provided background information related to LOGIC and further diversifying our accounts.

Councilmember Petersen made a motion to approve a RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A PARTICIPATION AGREEMENT AND TRUST INSTRUMENT FOR PARTICIPATION IN A PUBLIC FUNDS INVESTMENT POOL, DESIGNATION THE BOARD OF TRUSTEES OF THE POOL AS AN AGENCY AND INSTRUMENTALITY TO SUPERVISE THE POOL, APPROVING INVESTMENT POLICIES OF THE POOL, APPOINTING AUTHORIZED REPRESENTATIVES AND DESIGNATING INVESTMENT OFFICERS with a second by Councilmember Troth.

The following votes were cast:

Ayes: Troth, Petersen, Strand
Nays: None
Abstain: Harrison
Absent: Rivers

The motion carried.

- 19. Discuss, consider and take action on approval of amendments to the Budget Policies for the City of Krum.**

Finance Director Karen Hollingsworth provided the City Council with information related to the possible amendments to the Budget Policies. The Budget Policies were reviewed by the City Council. Discussion was held by the City Council. There will not be any amendments to the Budget Policies at this time. No further action was necessary.

- 20. Discuss, consider and take action on approval of engaging a firm for a new logo/re-branding for the City of Krum and authorize the Mayor to execute all contract documents on behalf of the City of Krum.**

Mayor Pro Tem Rhonda Harrison opened the item for discussion and advised that she thought that it would be beneficial to bring this item back at the October City Council meeting when Mayor Harris and Councilmember Rivers would be in attendance. No further action was taken.

- 21. Discuss and review the proposed budget for Fiscal Year 2019–2020.**

Mayor Pro Tem Rhonda Harrison opened the agenda item. There were no questions or discussion.

H. EXECUTIVE SESSION

- 22. 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 and Section 551.072, Deliberation regarding Real Property, to deliberate the purchase, exchange, lease or value of real property.**

Mayor Pro Tem Harrison announced that the City Council would convene in executive session at 8:05 p.m.

- a. **Consultation with attorney – Discussion regarding negotiations and legal issues related to the potential exchange of extraterritorial jurisdiction (ETJ Land Swap) with the City of Denton.**
- b. **John W. Gibbons Survey, Abstract No. 645, Tract 13.**

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 and Section 551.072.

Adjourn into Open Meeting.

The City Council reconvened into the open meeting at 8:45 p.m.

Action on Executive Session Items 22a and 22b 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.

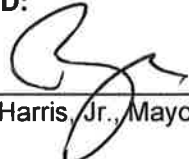
I. FUTURE AGENDA ITEMS

No future agenda items were requested.

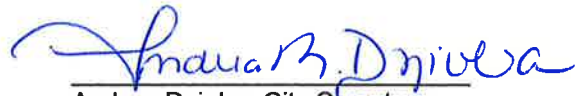
J. ADJOURN

The meeting adjourned at 8:46 p.m.

APPROVED:



Ronald G. Harris, Jr., Mayor



Andrea Dzioba, City Secretary