



REGULAR CITY COUNCIL MEETING WEDNESDAY, SEPTEMBER 6 2017 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
Toby L. Lawrence, 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., Mayor Pro Tem Justin Diviney, Councilmembers Austin Petersen, Rhonda Harrison, Toby L. Lawrence and Mike Strand. Also present were Fire Chief Ken Swindle; Police Chief Terry Hargis; Finance Director Shelly Neckar; Public Works Director Devon Kennedy; City Planner Tom Elgin; Library Director Donna Pierce (arrived 6:50 p.m.); Assistant City Attorney Trey Sargent; 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 Councilmember Mike Strand.

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"

United Way of Denton was not in attendance. City Secretary Andrea Dzioba advised that she will invite them to the September 12, 2017 City Council meeting to receive the proclamation.

2. Mayor's Update

Mayor Ronald G. Harris, Jr. advised that work has continued on Radecke. Fire Chief Ken Swindle also provided the City Council with an update related to their State EMS assistance in Rockport, Houston, and Beaumont.

3. Discussion – July 2017 Financials

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

4. Discussion – Sirens/Outdoor Warning Devices

Fire Chief Ken Swindle advised the City Council that the approximate cost of a new siren/outdoor warning device was \$25,000.00 for a siren with a concrete pole and could cover an approximate diameter of 6,000 square feet. IT would cost approximately \$8,000.00 to \$12,000.00 to move the current one to an alternate location. Chief Swindle stressed the importance of Code Red for emergency notifications as well as advised that the sirens are supposed to let you know if you are outside that you need to take shelter.

5. Discussion – City Administrator/City Manager position

Mayor Ronald G. Harris, Jr. advised that he has a meeting next Wednesday and that this item will be discussed further at the October meeting after he has received more information.

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.

6. Consider and take action on approval of the resignation of Justin Diviney from the Krum Park Development Corporation.

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

The following votes were cast:

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

The motion carried unanimously.

G. REGULAR AGENDA ITEMS

7. 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 8.89%.

Mayor Harris announced that this is the first of two public hearings to discuss the Fiscal Year 2017-2018 proposed tax rate of \$.647489 that represents the same tax rate as the Fiscal Year 2016-2017 tax rate of \$.647489. The second public hearing will be held on September 12, 2017 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 2017-2018 Proposed Budget and the proposed tax rate at a meeting scheduled on September 18, 2017 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 Harris opened the public hearing at 6:54 p.m. No one was present to speak during the public hearing. Mayor Harris closed the public hearing at 6:55 p.m.

No further action was necessary.

- 8. Discuss, consider and take action on all matters incident and related to the issuance and sale of "Greater Texoma Utility Authority Contract Revenue Bonds, Series 2017 (City of Krum Project)", including the adoption of an ordinance approving the issuance thereof and the facilities to be constructed or acquired by the Authority.**

Ms. Carolyn Bennett from the Greater Texoma Utility Authority (GTUA) was available related to any questions related to the proposed ordinance related to the issuance and sale of contract revenue bonds to finance the new water well. Discussion was held by the City Council.

Councilmember Strand made a motion to approve all matters incident and related to the issuance and sale of "Greater Texoma Utility Authority Contract Revenue Bonds, Series 2017 (City of Krum Project)", including the adoption of Ordinance No. 2017-09-01 approving the issuance thereof and the facilities to be constructed or acquired by the Authority with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

- 9. Discuss, consider and take action on the design of the City of Krum entry/gateway sign.**

City Secretary Andrea Dzioba advised the City Council that they did approve the expenditure of \$6,950.00 by the Krum Economic Development Corporation for the purchase of the City of Krum entry/gateway sign with faux brick columns but did not indicate the desired brick color. Discussion was held by the City Council.

The City Council prefers the faux stone columns in lieu of the faux brick columns and would like the Krum Economic Development Corporation to reconsider this item at its next meeting and then for this to be on the City Council agenda again to discuss and consider at the September 12, 2017 City Council meeting. It was indicated that the City would provide lighting for the entry/gateway sign. No further action was taken.

- 10. Discuss, consider and take action on a Resolution of the City Council of the City of Krum supporting a proposed Churchill at Krum Townhome Community to be constructed in the City of Krum, Texas, and application for financing; authorizing the Mayor to certify this resolution to the Texas Department of Housing and Community Affairs; and providing an effective date.**

City Planner Tom Elgin advised that he received an e-mail from the Applicant and this item has been withdrawn. No action taken.

- 11. Discuss, consider, and take action on a request for approval of an Amending Plat, Lots 27A-1R1, & 27A-2R1, Little Brook Estates, Unit No. 2 Addition, said approximate 8.09 acre property being located at the southeast corner of Masch Branch Road and FM 1173/McCart Street, and situated in the James Haney Survey, Abstract No. 515, City of Krum, Denton County, Texas. The purpose of the amending plat is to revise utility easements. Owners: Vaughn Andrus & John Holley and Krum Veterinary Services, LLC. Applicant: John Cos, Eagle Surveying, LLC. Case: APT-2017-01.**

City Planner Tom Elgin introduced the request of an amending plat for Lots 27A-1R1, & 27A-2R1, Little Brook Estates, Unit No. 2 Addition. A brief discussion was held by the City Council.

Councilmember Strand made a motion to approve an Amending Plat, Lots 27A-1R1, & 27A-2R1, Little Brook Estates, Unit No. 2 Addition, said approximate 8.09 acre property being located at the southeast corner of Masch Branch Road and FM 1173/McCart Street, and situated in the James Haney Survey, Abstract No. 515, City of Krum, Denton County, Texas with a second by Councilmember Harrison.

The following votes were cast:

Ayes: Diviney, Harrison, Petersen, Lawrence, Strand

Nays: None

Absent: None

The motion carried unanimously.

- 12. Discuss, consider, and take action on a request for approval of a Final Plat of Hopkins Meadows Addition, Phase 1, an approximate 33.62 acre tract of land located generally on the east side of Hopkins Road due east of the intersection of Radecke Road and Hopkins Road in the John W. Gibbons Survey, Abstract No. 446, Denton County, Texas. The final plat proposed 77 residential lots and two open space lots. Owever: Herman H. Hopkins Estate. Applicant: Jeff Crannell, CCM Engineering. Case: FPT-2017-01.**

City Planner Tom Elgin made a presentation related to the request for approval of a Final Plat of Hopkins Meadows Addition, Phase 1. Matt Hackley of Impression Homes and Jeff Crannell of Crannell, Crannell & Martin Engineering Corporation were in attendance to provide information related to the final plat. Discussion was held by the City Council.

Councilmember Petersen made a motion to approve a Final Plat of Hopkins Meadows Addition, Phase 1, an approximate 33.62 acre tract of land located generally on the east side of Hopkins Road due east of the intersection of Radecke Road and Hopkins Road in the John W. Gibbons Survey, Abstract No. 446, Denton County, Texas with a second by Councilmembers Harrison and Strand.

The following votes were cast:

Ayes: Diviney, Harrison, Petersen, Lawrence, Strand

Nays: None

Absent: None

The motion carried unanimously.

- 13. Discuss, consider, and take action on a request for approval of a Final Plat of Marquis Addition, an approximate 8.65 acre tract of land located generally on the south side of F.M. 1173 / McCart Street, approximately 1,000 feed east of Gregg Road, in the Charles Despallier Survey, Abstract No. 370, Denton County, Texas. The property lies within the City of Krum extraterritorial jurisdiction. The final plat proposes to create one residential lot. Owners: Stoney and Angelyn Marquis. Applicant: John Cos, Eagle Surveying, LLC. Case: FPT-2017-02.**

City Planner Tom Elgin made a presentation related to the request for approval of a Final Plat of Marquis Addition, an approximate 8.65 acre tract of land located generally on the south side of F.M. 1173 / McCart Street, approximately 1,000 feed east of Gregg Road, in the Charles Despallier Survey, Abstract No. 370. A brief discussion was held by the City Council.

Councilmember Harrison made a motion to approve a Final Plat of Marquis Addition, an approximate 8.65 acre tract of land located generally on the south side of F.M. 1173 / McCart Street, approximately 1,000 feed east of Gregg Road, in the Charles Despallier Survey, Abstract No. 370, Denton County, Texas with a second by Councilmembers Diviney and Strand.

The following votes were cast:

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

The motion carried unanimously.

- 14. Discuss, 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 2016-2017; 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.**

Finance Director Shelly Neckar addressed the City Council related to the proposed amendments to the budget for Fiscal Year 2016-2017. Discussion was held by the City Council.

Councilmember Lawrence 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 2016-2017; 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 Strand.

The following votes were cast:

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

The motion carried unanimously.

- 15. Discuss, consider and take action on an ORDINANCE OF THE CITY OF KRUM, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF KRUM, CHAPTER 8: OFFENSES AND NUISANCES, ARTICLE 8.05; SEX OFFENDER RESIDENCY RESTRICTIONS, SECTION 8.05.002 PROHIBITED AREAS; EXCEPTIONS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR A PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

Councilmember Harrison made a motion to approve an ORDINANCE OF THE CITY OF KRUM, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF KRUM, CHAPTER 8: OFFENSES AND NUISANCES, ARTICLE 8.05; SEX OFFENDER RESIDENCY RESTRICTIONS, SECTION 8.05.002 PROHIBITED AREAS; EXCEPTIONS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR A PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

16. Discuss, consider and take action on the purchase of a roll off dump box with trailer for the Public Works Department and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.

Public Works Director Devon Kennedy provided information to the City Council related to the proposed purchase of a roll off dump box with trailer and informed them of the benefits of a roll off dump box with trailer in lieu of a dump truck for his department at this time. Discussion was held by the City Council.

Councilmember Strand made a motion to approve the purchase of a roll off dump box with trailer for the Public Works Department from Texas Custom Trailers / PJ Trailers in the amount of \$12,776.00 with a second by Councilmember Lawrence.

The following votes were cast:

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

The motion carried unanimously.

17. Discuss, consider and take action on approval of the purchase of a new Fire Truck from Siddons-Martin Emergency Group in an amount not to exceed \$500,000.00, approval of financing through Community Leasing Partners and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.

Councilmember Harrison made a motion to approve the purchase of a new Fire Truck from Siddons-Martin Emergency Group in an amount not to exceed \$500,000.00, approval of financing through Community Leasing Partners and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum with a second by Councilmember Diviney.

The following votes were cast:

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

The motion carried unanimously.

18. Discuss, consider and take action on approval of an ORDINANCE OF THE CITY OF KRUM, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF KRUM CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.11 LIBRARY; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

Discussion was held by the City Council.

Councilmember Strand made a motion to approve an ORDINANCE OF THE CITY OF KRUM, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF KRUM CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.11 LIBRARY; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE with Article 1.11.003(b)(2) to read as follows: "One (1) member shall be a member of the City Council that occupies Place 1." with a second by Councilmember Lawrence.

The following votes were cast:

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

The motion carried unanimously.

19. Discuss, consider and take action on approval of the City of Krum Budget Policy.

Finance Director Shelly Neckar made a presentation to the City Council related to the proposed City of Krum Budget Policy. Discussion was held by the City Council.

Councilmember Lawrence made a motion to approve the City of Krum Budget Policy with the definition of "Management Team" to be the Mayor and Department Heads with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

20. Discuss and review the proposed budget for Fiscal Year 2017-2018.

Finance Director Shelly Neckar inquired whether any items in the proposed budget that the City Council would like to discuss. No additional discussion was requested.

H. EXECUTIVE SESSION

Mayor Harris announced that the City Council would convene in executive session at 8:03 p.m.

21. After determining a quorum is present, the City Council will convene in executive session pursuant to Texas Government Code, Section 551.074 – Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

a. Library Director

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.

Adjourn into Open Meeting.

The City Council reconvened into the open meeting at 8:51 p.m.

Action on Executive Session Items 21a 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.

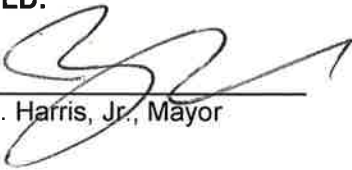
I. FUTURE AGENDA ITEMS

No future agenda items were requested.

J. ADJOURN

The meeting adjourned at 8:53 p.m.

APPROVED:



Ronald G. Harris, Jr., Mayor



Andrea Dzioba, City Secretary