



**REGULAR CITY COUNCIL MEETING  
MONDAY, SEPTEMBER 7, 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 Daughhete, 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 6:32 p.m.

**B. QUORUM PRESENT**

Those present were Mayor Ronald G. Harris, Jr., Councilmembers Austin Petersen (arrived at 7:35 p.m.), Rhonda Harrison, Justin Diviney, Cindy Daughhete, and Mike Strand. Also present were Police Chief Terry Hargis; Library Director Donna Pierce; 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 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. Devon “Trey” Willis, 149 North Point Drive, spoke about possible usage fees at the fields.

Mr. Floyd Rosenkranz, 5042 Miller, spoke in favor of the voluntary annexation requested by C&G Electric, Inc.

Mr. Tim Kutas, 25 Gregg Road, spoke regarding possible usage fees at fields and stated that youth sports needs backing from the City Council.

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

**E. PRESENTATION**

**1. Proclamation – “Live United Month”**

Mayor Harris read the proclamation and presented same to Gary Henderson, Present and Chief Executive Officer of United Way of Denton. Other individuals in attendance were Mark Merki, Merki & Associates P.C., Board Treasurer; Teddy Yan, Marketing and Outreach Director; and Robert Placido, Chief Information Officer for TWU, Board Member.

## **2. Mayor's Update**

Mayor Harris advised that he believes that the Fire Station will be complete by the end of October and the Library at the end of December. Mayor Harris also advised that the Police Department and Fire Department have each taken \$2,500.00 from their respective budgets to be used for the Park Department (General Fund).

## **4. Discussion – July 2016 Financials**

A brief discussion was held by the City Council about water revenues being down and Public Safety revenues being up.

## **3. Presentation – Krum Park Advisory Board and Krum Park Development Corporation**

Chairman Trey Willis and Member Jim Mays of the Krum Park Development Corporation made a presentation to the City Council related to some of the projects that they are considering including but not limited to walking trails, disc golf, public restrooms, erosion control, lighting, and irrigation.

## **H. EXECUTIVE SESSION**

Mayor Harris announced that the City Council would convene in executive session at 7:45 pm.

**19. 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 8:34 p.m.

**Action on Executive Session Items No. 19a and 19b if necessary.**

Councilmember Strand made a motion to approve that the Mayor continue as discussed with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

No action taken on 19b.

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. 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.

5. **Consider and take action on approval of the minutes from the August 1, 2016 Regular City Council meeting.**
6. **Consider and take action on approval of the minutes from the August 9, 2016 City Council Work Session.**
7. **Consider and take action on approval of the minutes from the August 15, 2016 Special City Council meeting and Work Session.**
8. **Consider and take action on approval of the minutes from the August 22, 2016 Special City Council meeting.**
9. **Consider and take action on approval of the Fiscal Year 2016–2017 holiday closure schedule.**
11. **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 12: TRAFFIC AND VEHICLES, ARTICLE 12.01: GENERAL PROVISIONS BY AMENDING A DEFINITION FOR SCHOOL ZONES; CHAPTER 12: TRAFFIC AND VEHICLES, ARTICLE 12.03: OPERATION OF VEHICLES, DIVISION 2. SPEED LIMITS, SECTION 12.03.31: SCHOOL ZONES, (c) DESIGNATED SCHOOL ZONES, 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 PENALTY, PROVIDING FOR A PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**
12. **Consider and take action on approval of a Proposal for Professional On-Site Engineering Services related to Huffman Paving Improvements and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**

*Item No. 10 was pulled from the Consent Agenda.*

Councilmember Diviney made a motion to approve the consent agenda Items No. 5 through 9 and 11 through 12 with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

10. **Consider and take action on approval of the Fiscal Year 2016-2017 holiday closure schedule for the Krum Public Library.**

Library Director Donna Pierce provided information to the City Council regarding the proposed holiday schedule. Discussion was held by the City Council. No action was taken.

**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 8.00%.**

Mayor Harris announced that this is the first of two public hearings to discuss the Fiscal Year 2016-2017 proposed tax rate of \$.647489 that represents the same tax rate as the Fiscal Year 2015-2016 tax rate of \$.647489. The second public hearing will be held on September 13, 2016 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 2016-2017 Proposed Budget and the proposed tax rate at a meeting scheduled on September 19, 2016 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 8:49 p.m. No one was present to speak during the public hearing. Mayor Harris closed the public hearing at 8:50 p.m.

No further action was necessary.

- 14. Discuss, consider and take action on approval of an ordinance adopting the annexation of certain territory contiguous to and adjoining the City of Krum, Texas, to wit: a 10.382 acre tract of land situated in the P.L. Lankford survey, Abstract no. 733, Denton County, Texas and being more particularly described in the attached Exhibit "A", attached hereto and incorporated herein; providing for incorporation of premises; providing for amending of the official city map; requiring the filing of this ordinance with the Denton County clerk; prescribing for effect on territory, granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the City of Krum, Texas; providing a cumulative repealer clause; providing for severability; providing for engrossment and enrollment; and providing an effective date. Owner & Applicant: Brad Carrell, C&G Electric, Inc. Case: ANX-2016-01.**

City Planner Tom Elgin provided an introduction to the annexation of certain territory contiguous to and adjoining the City of Krum, Texas, to wit: a 10.382 acre tract of land situation in the P.L. Lankford survey, Abstract no. 733, Denton County, Texas. A brief discussion was held by the City Council.

Councilmember Strand made a motion to approve an ordinance adopting the annexation of certain territory contiguous to and adjoining the City of Krum, Texas, to wit: a 10.382 acre tract of land situated in the P.L. Lankford survey, Abstract no. 733, Denton County, Texas with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

- 15. Hold a Public Hearing on an ordinance of the City of Krum amending the official zoning map for the city by establishing initial zoning for a recently annexed tract of land to wit: a 10.382 acre tract of land situated in the P.L. Lankford survey, Abstract no. 733, Denton County, Texas, commonly known as Tract 10 of said survey, and located on the west side of F.M. 156, approximately 230 feet south of South Street. The requested initial zoning is Light Industrial (LI). Owner & Applicant: Brad Carrell, C&G Electric, Inc. Case: ZON-2016-03.**

Mayor Ronald G. Harris, Jr. opened Items No. 15 and 16. City Planner Tom Elgin provided an overview related to the amending the official zoning map for the city by establishing initial zoning for a recently annexed tract of land to wit: a 10.382 acre tract of land situated in the P.L. Lankford survey, Abstract no. 733, Denton County, Texas, commonly known as Tract 10 of said survey, and located on the west side of F.M. 156, approximately 230 feet south of South Street. Owner and Applicant Brad Carrell was available to answer questions.

Mayor Ronald G. Harris, Jr. opened the public hearing at 8:56 p.m.

No one spoke during the public hearing. A brief discussion was held by the City Council.

Mayor Harris closed the public hearing at 9:01 p.m.

- 16. Discuss, consider and take action on an ordinance approving an ordinance of the City of Krum amending the official zoning map for the city by establishing initial zoning for a recently annexed tract of land to wit: a 10.382 acre tract of land situated in the P.L. Lankford survey, Abstract no. 733, Denton County, Texas and being more particularly described in the attached Exhibit "A", attached hereto and incorporated herein; designating the zoning district for said property as Light Industrial (LI); providing for incorporation of premises; providing for findings; providing for amending of the official city map accordingly; providing a cumulative repealer clause; providing for savings; providing for severability; providing for a penalty; providing for publication; providing for engrossment and enrollment; and providing an effective date. Owner & Applicant: Brad Carrell, C&G Electric, Inc. Case: ZON-2016-03.**

Councilmember Strand made a motion to approve an ordinance of the City of Krum amending the official zoning map for the city by establishing initial zoning for a recently annexed tract of land to wit: a 10.382 acre tract of land situated in the P.L. Lankford survey, Abstract no. 733, Denton County, Texas; designating the zoning district for said property as Light Industrial (LI) 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.

- 17. Discuss, consider and take action on approval of an Application for Business Incentives and Chapter 380 Economic Development Agreement with C&G Electric, Inc. located at 2901 FM 156 North. Owner and Applicant: Owner & Applicant: Brad Carrell, C&G Electric, Inc.**

City Planner Tom Elgin provided an introduction to the Application for Business Incentives and Chapter 380 Economic Development Agreement with C&G Electric, Inc. located at 2901 FM 156 North. An extensive discussion was held by the City Council.

Councilmember Harrison made a motion to approve a reimbursement by the Krum Economic Development Corporation of fifty-percent (50%) of the actual cost of the improvements for the waterline extension and fire hydrants in an amount not to exceed \$18,000.00 and the Chapter 380 Economic Development Agreement related to the rebate of fifty percent (50%) of the City of Krum ad valorem (property taxes) for a period of 5 years starting with the tax year beginning January 1, 2017 and to be paid out of the City of Krum General Fund with a second by Councilmember Diviney.

The following votes were cast:

Ayes: Petersen, Harrison, Diviney,

Nays: Daughetee, Strand

Absent: None

The motion carried.

**18. Discuss and review the proposed budget for Fiscal Year 2016–2017.**

A brief discussion was held by the City Council and Mayor Harris advised that there would be funds for Parks included in the General Fund.

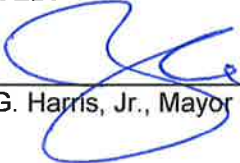
**I. FUTURE AGENDA ITEMS**

No future agenda items were requested.

**J. ADJOURN**

The meeting adjourned at 9:57 p.m.

**APPROVED:**

  
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Ronald G. Harris, Jr., Mayor

  
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Andrea Dzioba, City Secretary