



# REGULAR CITY COUNCIL MEETING MONDAY, OCTOBER 2, 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., Councilmembers Rhonda Harrison, Toby L. Lawrence and Mike Strand. Mayor Pro Tem Justin Diviney and Councilmember Austin Petersen were absent. 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; 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 Toby L. Lawrence.

### 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.

Ms. Maggie Sloan, 505 Park Lane, spoke related to mobile food unit policies.

Ms. Kathy Minter, 3596 Hopkins Road, spoke in opposition to new development of Impression Homes.

### E. PRESENTATION / DISCUSSION

#### 1. Presentation – Certificates of Recognition

Mayor Harris presents Certificates of Recognition to the following individuals from the Krum Fire Department related to deployment and assistance provided during the Hurricane Harvey Disaster: Captain Corey Gregory, Raquela Cornelius, Justin Merriott, Jim Buers, Jubal Castleberry, Captain Russell Woody, Sebouh Koulian, Captain Calvin Bland, and Adam North.

#### 2. Presentation – Business Presentation – Scott Sackett

Mr. Sackett has requested that this item be moved to the November meeting.

**3. Mayor's Update**

Mayor Ronald G. Harris, Jr. advised that the Public Works Department has been busy as indicated in the monthly report provided by Public Works Director Devon Kennedy.

**4. Discussion – August 2017 Financials**

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

**5. Discussion and direction on contractor registration fees**

City Planner Tom Elgin introduced the item to the City Council and provided background information related to contractor registration fees. Discussion was held by the City Council. This item will be brought back to the City Council at the November 6, 2017 Regular meeting.

**6. Discussion and direction on food trucks and other mobile food vendors**

City Planner Tom Elgin introduced the item to the City Council related to food truck and mobile food vendor regulations. Discussion was held by the City Council. They discussed changing the zoning ordinance at a future meeting to allow designation of where food trucks and other mobile food vendors would be allowed.

**7. Discussion – City Administrator/City Manager position**

The City Council discussed having a detailed outline related to the position prior to the next City Council meeting.

**8. Discussion – Department Head Evaluations**

Discussion was held by the City Council related to when evaluations would take place. They discussed the possibility of having them on the anniversary date of the Department Head's employment.

**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.

**9. Consider and take action on approval of the minutes from the June 5, 2017 Regular City Council meeting.**

**10. Consider and take action on approval of the re-appointment of Misty Willis to the Krum Economic Development Corporation.**

**11. Consider and take action on approval of the appointment of the following individuals to the Krum Library Advisory Board: Kelly Ring, Donna Arnold O'Dania, Austin Petersen (Councilmember Place1), Charlotte Guest, Pamela Gregory, Adrienne E. Pohrte, and Joy Wear.**

**13. Consider and take action on approval of a promotional expenditure of an amount not to exceed \$200.00 per business entity in reimbursement for candy upon submission of receipts that participates in Safe Spook.**

**14. Consider and take action on an ORDINANCE OF THE CITY OF KRUM, TEXAS DESIGNATING THE OFFICIAL NEWSPAPER FOR THE CITY OF KRUM FOR FISCAL YEAR 2017-2018 AND REPEALING ALL ORDINANCES OR RESOLUTIONS IN CONFLICT THEREWITH, PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

Councilmember Strand requested that Consent Item No. 12 be considered separately

Councilmember Harrison made a motion to approve consent agenda items numbers 9 through 11 and 13 through 14 as presented with a second by Councilmember Strand.

The following votes were cast:

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

The motion carried unanimously.

- 12. Consider and take action on approval of an agreement with Alta Clean for cleaning services for the Krum Public Library authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**

Councilmember Strand believes that the original quote was for once a week for \$400.00 per month. Discussion was held by the City Council. Library Director Donna Pierce was asked to bring back the contract for once a week cleaning for \$400.00 per month. No action taken on this item.

## **G. REGULAR AGENDA ITEMS**

- 15. Discuss, consider and take action to award the bid for the Ammonia Feed Improvements Project and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**

Mayor Harris introduced the item for the City Council's consideration. Public Works Director Devon Kennedy provided information to the City Council related to the Ammonia Feed Improvements Project. Discussion was held by the City Council.

Councilmember Harrison made a motion to accept the bid from Fryer Construction for the Ammonia Feed Improvements Project for the amount of \$239,900.00 and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum with a second by Councilmember Lawrence.

The following votes were cast:

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

The motion carried unanimously.

- 16. Hold a public hearing and discuss, consider and take action on an ordinance approving a single family residential planned development zoning request for an approximate 85.6 acre tract of land located generally on the east side of Hopkins Road and north of FM 1173/McCart Street in Denton County, Texas, and known as Tract 21A, 22, 22A, 23, 26, 27, and 28 of the John W. Gibbons Survey, Abstract No. 446, Denton County, Texas. The existing zoning is Agricultural (A). The requested zoning is Planned Development – Single-Family Residential-7.5 (PD-SF-7.5). The planned development zoning request and concept plan propose 182 residential lots. The minimum residential lot size is 8,000 square feet with an average lot size of approximately 9,900 square feet. Owners: Donna Ritz, Pamela Fowler Estes, and Freeman Family Living Trust. Applicant: Mark P. Allen, D.R. Horton. Case: ZON-2017-03.**

Mayor Ronald G. Harris, Jr. opened the public hearing at 7:46 p.m.

City Planner Tom Elgin provided an overview related to the ordinance related to a single family residential planned development zoning request for an approximate 85.6 acre tract of land located general on the east side of Hopkins Road and north of FM 1173/McCart Street and know as Tract 21A, 22, 22A, 23, 26, 27, and 28 of the John W. Gibbons Survey, Abstract No. 446. Mr. Jon Kroehler, P.E., Chief Business Development Officer for Shield Engineering Group, PLLC was available to answer any questions.

Ms. Kathy Minter, 3596 Hopkins Road, had questions related to her current livestock and animals on her property. Discussion was held by the City Council.

Mayor Harris closed the public hearing at 8:12 p.m.

Councilmember Strand made a motion to approve AN ORDINANCE OF THE CITY OF KRUM, TEXAS AMENDING THE OFFICIAL ZONING MAP FOR THE CITY BY CHANGING THE ZONING ON A 85.6 ACRE TRACT OF LAND LOCATED IN THE JOHN W. GIBBONS SURVEY, ABSTRACT NO. 446, CITY OF KRUM, FROM AGRICULTURAL (A) TO PLANNED DEVELOPMENT-3-SINGLE FAMILY RESIDENTIAL-7.5 (PD-3-SF-7.5); PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING FOR DEVELOPMENT STANDARDS; PROVIDING FOR ZONING REGULATIONS; REQUIRING COMPLIANCE WITH ALL OTHER APPLICABLE ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE and adds an 8-foot (8') stained fence on metal posts along the property line of the Minter property with a second by Councilmember Lawrence.

The following votes were cast:

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

The motion carried unanimously.

- 17. Discuss, consider and take action on approval of AN ORDINANCE OF THE CITY OF KRUM, TEXAS AMENDING THE CITY'S CODE OF ORDINANCES; CHAPTER 3: BUILDING REGULATIONS, ARTICLE 3.05 SIGNS; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURES OR CONTINUES AND INCLUDING PROVISIONS FOR THE AUTHORIZATION TO SEEK INJUNCTIVE RELIEF TO ENJOIN VIOLATIONS WHICH CONSTITUTE AN IMMINENT HAZARD OR DANGER TO THE PUBLIC HEALTH AND SAFETY; PROVIDING FOR SEVERABILITY; PROVIDING A PUBLICATION CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE. Applicant: City of Krum. Case: ORD-2017-01.**

City Planner Tom Elgin provided an overview related to the ordinance amending regulations to the sign ordinance.

Councilmember Lawrence made a motion to approve AN ORDINANCE OF THE CITY OF KRUM, TEXAS AMENDING THE CITY'S CODE OF ORDINANCES; CHAPTER 3: BUILDING REGULATIONS, ARTICLE 3.05 SIGNS; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURES OR CONTINUES AND INCLUDING PROVISIONS FOR THE AUTHORIZATION TO SEEK INJUNCTIVE RELIEF TO ENJOIN VIOLATIONS WHICH CONSTITUTE AN IMMINENT HAZARD OR DANGER TO THE PUBLIC HEALTH AND SAFETY; PROVIDING FOR SEVERABILITY; PROVIDING A PUBLICATION CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE with a second by Councilmember Strand.

The following votes were cast:

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

The motion carried unanimously.

- 18. 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 A12.000: SUBDIVISION AND ZONING FEES, SECTION A.12.003: ENGINEER FEES PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING A PUBLICATION CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

City Planner Tom Elgin provided an overview related to the ordinance amending the City's subdivision and zoning fee schedule.

Councilmember Strand 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 A12.000: SUBDIVISION AND ZONING FEES, SECTION A.12.003: ENGINEER FEES PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING A PUBLICATION CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

- 19. Discuss, consider and take action on a Production Agreement with DataProse for the preparation and mailing of utility invoices and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**

Finance Director Shelly Neckar made a presentation related to the proposed Production Agreement with DataProse for the preparation and mailing of utility invoices. Discussion was held by the City Council.

Councilmember Lawrence made a motion to approve a Production Agreement with DataProse for the preparation and mailing of utility invoices and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

**20. Discuss, consider and take action on approval of a Lease Agreement with Skybeam, LLC d/b/a Rise Broadband and authorize the Mayor to execute all agreement documents on behalf of the City of Krum.**

**21. Discuss, consider and take action on approval of a Lease Agreement with Denton Commercial Internet, Inc. and authorize the Mayor to execute all agreement documents on behalf of the City of Krum.**

Mayor Harris opened Items numbered 20 and 21. City Secretary Andrea Dzioba provided the City Council with background information related to the proposed tower lease agreements. Discussion was held by the City Council.

Councilmember Lawrence made a motion to approve a Lease Agreement with Skybeam, LLC d/b/a Rise Broadband with a monthly payment of \$750.00 and authorize the Mayor to execute all agreement documents on behalf of the City of Krum with a second by Councilmembers Harrison and Strand.

The following votes were cast:

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

The motion carried unanimously.

Councilmember Lawrence made a motion to approve a Lease Agreement with Denton Commercial Internet, Inc. and authorize the Mayor to execute all agreement documents on behalf of the City of Krum with a second by Councilmember Strand.

The following votes were cast:

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

The motion carried unanimously.

**22. Discuss, consider and take action on the purchase and installation of a managed firewall, two (2) wireless access points, and a cloud-managed switch for the Krum Public Library.**

Library Director Donna Pierce introduced the item related to the proposed purchase and installation of a managed firewall, two (2) wireless access points, and a cloud-managed switch for the Krum Public Library. City Secretary Andrea Dzioba provided some additional information related to why Agent IT has made this recommendation. Discussion was held by the City Council.

Councilmember Strand made a motion to approve the purchase and installation of a managed firewall, two (2) wireless access points, and a cloud-managed switch for the Krum Public Library provided that it is paid for out of the current budget for the Library with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

**23. Discuss, consider and take action related to the employment of an employee to be used for Parks.**

Public Works Director Devon Kennedy made a presentation related to the employment of an employee to be used for Parks and advised that the Krum Park Development Corporation would fund half of the employee's salary. Mr. Kennedy advised that the position would be full-time and the duties of this employee would be for park development and maintenance/repairs. Discussion was held by the City Council.

Councilmember Strand made a motion to approve the employment of an employee to be used for Parks and that half of the employee's salary would be paid from the Krum Park Development Corporation with a second by Councilmember Lawrence.

The following votes were cast:

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

The motion carried unanimously.

**24. Discuss, consider and take action on approval of the purchase of a utility vehicle for the Parks.**

Public Works Director Devon Kennedy introduced the item related to purchase by the Krum Park Development Corporation of a utility vehicle for the Parks. Discussion was held by the City Council.

Councilmember Strand made a motion to approve the purchase of a Kubota V series utility vehicle for the Parks by the Krum Park Development Corporation in an amount not to exceed \$19,000.00 through BuyBoard with a second by Councilmember Lawrence.

The following votes were cast:

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

The motion carried unanimously.

**25. Discuss, consider and take action on approval of the purchase of a zero turn mower for the athletic fields for Parks.**

Public Works Director Devon Kennedy introduced the item related to purchase by the Krum Park Development Corporation of a zero turn mower for the athletic fields at the Parks. Discussion was held by the City Council.

Councilmember Strand made a motion to approve the purchase of a Kubota 60" zero turn mower for the athletic fields for Parks by the Krum Park Development Corporation in an amount not to exceed \$7,500.00 through BuyBoard with a second by Councilmember Lawrence.

The following votes were cast:  
Ayes: Harrison, Lawrence, Strand  
Nays: None  
Absent: Diviney, Petersen

The motion carried unanimously.

#### H. EXECUTIVE SESSION

Mayor Harris announced that the City Council would convene in executive session at 9:27 p.m.

**26. 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 10:06 p.m.

**Action on Executive Session Items 26a 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.

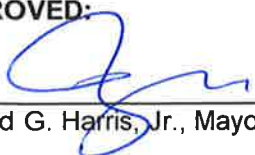
#### I. FUTURE AGENDA ITEMS


The City Council would like to have Mr. Sackett's presentation on the November agenda, discuss contractor registration fees, food trucks, and City Manager/City Administrator.

#### J. ADJOURN

The meeting adjourned at 10:07 p.m.

APPROVED:

  
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Ronald G. Harris, Jr., Mayor

  
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Andrea Dzioba, City Secretary