



REGULAR CITY COUNCIL MEETING MONDAY, OCTOBER 7, 2019 at 6:30 P.M.

KRUM CITY HALL – 146 W. McCART STREET

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

Rhonda Harrison, Mayor Pro Tem - PI.2
Richard Troth, 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 6:34 p.m.

B. QUORUM PRESENT

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

Ms. Stephanie Powell, 323 Chisholm Trail, addressed the City Council about the desire for a parade committee related to the Parade of Lights.

Mr. Mark DiBello, 504 Park Lane, spoke to the City Council about HB 2840 and the need to change our agenda to reflect same.

E. PRESENTATION / DISCUSSION

1. Discussion – August 2019 Financials

Mayor Ronald G. Harris, Jr. opened the discussion item. Finance Director Karen Hollingsworth was available to answer any questions that the City Council may have. Mayor Pro Tem Rhonda Harrison asked about the restroom expenditure and capital projects. Councilmember Mike Strand commented that he would like to have information for all of the funds. A brief discussion was held.

2. Discussion – Discussion and direction on capital projects/purchases and possible debt issuance

Finance Director Karen Hollingsworth advised that she pulled together a capital improvement project plan so that everything would be in one place. She advised that they would receive this every month and it would be updated as advised by the City Council and Department Heads as information was received.

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.

- 3. Consider and take action on approval of the minutes from the September 4, 2019 Regular City Council meeting.**
- 4. Consider and take action on approval of the minutes from the September 10, 2019 Special City Council meeting.**
- 5. Consider and take action on approval of the minutes from the September 18, 2019 Special City Council meeting.**
- 6. 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 by the Krum Economic Development Corporation.**
- 7. Consider and take action to approve membership for 2020 in the Electric Reliability Council of Texas (“ERCOT”) and authorizing the payment of \$100.00 for membership.**
- 8. Consider and take action on approval of an amount not to exceed \$50,000.00 for the completion of a Downtown Krum Master Plan by the Krum Economic Development Corporation.**
- 9. 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 2019-2020 AND REPEALING ALL ORDINANCES OR RESOLUTIONS IN CONFLICT THEREWITH, PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**
- 10. Consider and take action to approve an Interlocal Cooperation Agreement with Denton County for Library Services for the Krum Public Library and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**
- 11. Consider and take action on approval of the Fiscal Year 2019–2020 holiday closure schedules.**
- 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.**

13. Consider and take action on authorization for staff to advertise for Request for Qualifications (RFQ) from prospective qualified architectural and engineering firms to perform a city hall needs assessment.
14. Consider and take action to approve a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, HEREBY RATIFYING AN AGREEMENT BETWEEN THE CITY OF KRUM AND BIG SKY MUNICIPAL UTILITY DISTRICT OF DENTON COUNTY ("MUD") CONCERNING REIMBURSEMENT FOR CITY EXPENSES RELATED TO THE MUD FIRE PROTECTING SERVICES REVIEW PROCESS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Harrison made a motion to approve the consent agenda as presented with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

G. REGULAR AGENDA ITEMS

15. Hold the first public hearing regarding the proposed voluntary annexation of an approximate 70.070-acre tract of land situated in the John W. Gibbons Survey, Abstract No. 645, Denton County, Texas, commonly known as Tract 13 of said survey, situated on the east side of Hopkins Road, approximately 4,800 feet north of F.M. 1173 / McCart Street, and being the same tract of land described in deed to Lena L. Erickson, recorded in Volume 654, Page 645, Deed Records, Denton County, Texas. Owner: Arden M. Erickson, Jr. Applicant: Carter Kendall, CBRE Land Services Group. Case: ANX-2019-01.

Mayor Harris opened the public hearing at 7:01 p.m.

No one from the public spoke.

Development Services Director Tom Elgin provided background information to the City Council related to the proposed voluntary annexation. Mayor Pro Tem Rhonda Harrison inquired about CCN rights. A brief discussion was held.

Mayor Harris closed the public hearing at 7:04 p.m.

No further action was necessary.

16. Hold the second public hearing regarding the proposed voluntary annexation of an approximate 70.070-acre tract of land situated in the John W. Gibbons Survey, Abstract No. 645, Denton County, Texas, commonly known as Tract 13 of said survey, situated on the east side of Hopkins Road, approximately 4,800 feet north of F.M. 1173 / McCart Street, and being the same tract of land described in deed to Lena L. Erickson, recorded in Volume 654, Page 645, Deed Records, Denton County, Texas. Owner: Arden M. Erickson, Jr. Applicant: Carter Kendall, CBRE Land Services Group. Case: ANX-2019-01.

Mayor Harris opened the public hearing at 7:04 p.m.

No one from the public spoke.

Mayor Harris closed the public hearing at 7:05 p.m.

No further action was necessary.

17. **Hold a public hearing and discuss, consider and take action on approval of AN ORDINANCE OF THE CITY OF KRUM AMENDING THE OFFICIAL ZONING MAP FOR THE CITY BY CHANGING THE ZONING ON A TRACT OF LAND DESCRIBED Exeter Addition, Block A, Lot 1, and Original Town of Krum Addition, Block 5, Lots 2 and 3 SITUATED IN THE C. DESPALLIER SURVEY ABSTRACT NO. 370, DENTON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBITS "A" AND "B", ATTACHED HERETO AND INCORPORATED HEREIN, BY CHANGING THE ZONING DISTRICT FROM LIGHT INDUSTRIAL TO LIGHT INDUSTRIAL/SPECIFIC USE PERMIT FOR ITINERANT RETAIL VENDOR USE (FOOD TRUCKS); PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDING OF THE OFFICIAL ZONING MAP ACCORDINGLY; 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. Owner: The Chamberlain Trust. Applicant: City of Krum. Case: SUP-2019-01.**

Development Services Director Tom Elgin provided an introduction and background information related to the Specific Use Permit (SUP) request for itinerant retail vendor use (food trucks).

Mayor Harris opened the public hearing at 7:15 p.m.

Mr. Bart Moore, Cole Circle, wanted to know where this property was located.

Dr. Adrian Jones, 128 W. McCart Street, stated that the area wasn't designed to be light industrial and that parking is an issue. Unless there is additional parking, he is opposed to it.

Ms. Stephanie Powell, 323 Chisholm Trail, advised that she is excited to bring activity to downtown. She feels that there is bias for this item because the City initiated the SUP.

Ms. Ashley Rogers, JoyGrace, has concerns about parking especially when there is an overlap in events and other businesses being open.

Tudy, Outback, said that he is okay with food trucks for events but was concerned about police. He stated that there is a "meth" issue in the City and that money should be used for police.

Mr. John Callarman, 301 W. McCart Street, provided some historical background related to ownership of the property and stated that he supports the project.

Discussion was held by the City Council.

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

Mayor Pro Tem Harrison made a motion to approve an ORDINANCE OF THE CITY OF KRUM AMENDING THE OFFICIAL ZONING MAP FOR THE CITY BY CHANGING THE ZONING ON A TRACT OF LAND DESCRIBED Exeter Addition, Block A, Lot 1, and Original Town of Krum Addition, Block 5, Lots 2 and 3 SITUATED IN THE C. DESPALLIER SURVEY ABSTRACT NO. 370, DENTON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBITS "A" AND "B", ATTACHED HERETO AND INCORPORATED HEREIN, BY CHANGING THE ZONING DISTRICT FROM LIGHT INDUSTRIAL TO LIGHT INDUSTRIAL/SPECIFIC USE PERMIT FOR ITINERANT RETAIL VENDOR USE (FOOD TRUCKS); PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDING OF THE OFFICIAL ZONING MAP ACCORDINGLY; 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 with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

18. Discuss, consider and take action to approve a Fire Protection Agreement between the City of Krum, on behalf of the City of Krum Fire Department and Big Sky Municipal Utility District of Denton County, Tx, subject to the Fire Chief's and City Attorney's final sign off.

Fire Chief Ken Swindle information related to the Fire Protection Agreement between the City of Krum and Big Sky Municipal Utility District.

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.

Mayor Harris announced that the City Council would convene in executive session at 8:27 p.m.

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.

Adjourn into Open Meeting.

The City Council reconvened into the open meeting at 8:42 p.m.

Councilmember Strand made a motion to approve a Fire Protection Agreement between the City of Krum, on behalf of the City of Krum Fire Department and Big Sky Municipal Utility District of Denton County, Tx, subject to the Fire Chief's and City Attorney's final sign off with a second by Councilmember Troth.

The following votes were cast:

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

The motion carried unanimously.

19. Discuss, consider and take action on approval of a location to hold the Parade of Lights.

Mayor Harris opened the item for discussion. Extensive discussion was held by the City Council including, but not limited to, parking, the costs, need for more help and assistance, lighting, restrooms, the need to start and finish at the same place, message boards, and the conflict every four (4) years with UIL.

Mayor Pro Tem Harrison made a motion to have the parade in 2019 on the Krum Independent School District campus and move forward with creation of a committee to assist with special events with a second by Councilmember Strand.

The following votes were cast:

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

The motion carried unanimously.

20. Discuss, consider and take action on a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, ESTABLISHING THAT THE CHRISTMAS PARADE ON DECEMBER 7, 2019 SERVES A PUBLIC PURPOSE AND AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CLOSURE OF PORTIONS OF FM 1173 AND FM 156 IN THE CITY LIMITS OF THE CITY OF KRUM, TEXAS.

No action was taken.

21. 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.

A brief discussion was held by the City Council.

Councilmember Strand made a motion to authorize the Mayor to select and engage with 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 with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

H. EXECUTIVE SESSION – None

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 requested that there be an update related to the sign on the next agenda.

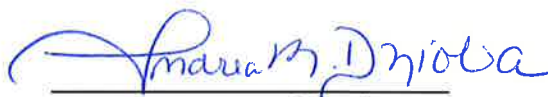
J. ADJOURN

The meeting adjourned at 9:40 p.m.

APPROVED:



Ronald G. Harris, Jr., Mayor



Andrea Dzioba, City Secretary