



REGULAR CITY COUNCIL MEETING MONDAY, NOVEMBER 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 6:31 p.m.

B. QUORUM PRESENT

Those present were Mayor Ronald G. Harris, Jr., Mayor Pro Tem Justin Diviney, Councilmembers Rhonda Harrison, Austin Petersen, 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; 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.

No one spoke under the Citizen's Agenda.

E. PRESENTATION / DISCUSSION

1. Presentation – Strategic Government Resources – City Administrator/City Manager

Ms. Sherry Green, Coordinator - Interim Services from Strategic Government Resources, gave a presentation to the City Council related to City Administrator/City Manager executive recruitment services and interim management services. Discussion was held by the City Council.

2. Mayor's Update

Mayor Ronald G. Harris, Jr. reminded everyone of the upcoming Tree Lighting on Thursday, November 30th and the Parade of Lights on Saturday, December 2nd.

3. Discussion and direction on contractor registration fees

City Planner Tom Elgin provided information to the City Council related to contractor registration fees. Discussion was held by the City Council related to continuing to require that contractors register with the City and that they would like to add roofing and window contractors also. City Planner Tom Elgin advised that he will proceed with their direction and bring back an ordinance related to same for their consideration.

4. Discussion – Department Head Evaluations

Discussion was held by the City Council related to evaluations. They discussed the possibility of splitting them up between now and the end of the year and then after January 1st completing evaluations on the anniversary date of each 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.

- 5. Consider and take action on approval of the minutes from the July 10, 2017 Regular City Council meeting.**
- 6. Consider and take action on approval of the minutes from the September 6, 2017 Regular City Council meeting.**
- 7. Consider and take action on approval of an agreement with Alta Clean for cleaning services for the Krum Public Library and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**
- 8. Consider and take action to approve an Interlocal Cooperation Agreement for Library Services with Denton County for the Krum Public Library and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**
- 9. Consider and take action to approve membership for 2018 in the Electric Reliability Council of Texas ("ERCOT") and authorizing the payment of \$100.00 for membership.**

It was requested that Consent Item No. 10 and 11 be considered separately

Councilmember Strand made a motion to approve consent agenda items numbers 5 through 9 as presented 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.

- 10. Consider and take action on approval of A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, ESTABLISHING THAT THE CHRISTMAS PARADE ON DECEMBER 2, 2017 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.**

Discussion was held by the City Council related to having the tree lighting and parade downtown vs. at the Krum Independent School District campus. Police Chief Terry Hargis was available to provide information related to the logistics of each location as far as shutting down roads, traffic control, and safety. No action taken on this item.

- 11. Consider and take action on approval of the proposed Krum Public Library Advisory Board Charter.**

Assistant City Attorney Trey Sargent advised the City Council that the ordinance that was approved in September provides an appropriate scope of responsibilities for the Krum Library Advisory Board. Library Director Donna Pierce provided information to the City Council related to the proposed Charter. Discussion was held by the City Council.

Councilmember Strand made a motion to deny approval of the proposed Krum Public Library Advisory Board Charter 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.

G. REGULAR AGENDA ITEMS

- 12. Conduct a public hearing and discuss, consider, and take action on approval of A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, ADOPTING LAND USE ASSUMPTIONS AND WATER AND WASTEWATER CAPITAL IMPROVEMENTS PLANS RELATING TO POSSIBLE ADOPTION OF WATER AND WASTEWATER IMPACT FEES FOR THE CITY OF KRUM; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Ronald G. Harris, Jr. opened the public hearing at 7:43 p.m.

City Planner Tom Elgin provided an overview related to the resolution and the recommendations of the Citizens Advisory Committee (CAC). Mr. Andrew Boyle, P.E. and Mr. Mazen Kawasmi, P.E. from Freese and Nichols, Inc. were also available to answer any questions and provide information.

Discussion was held by the City Council. No comments were made by the public.

Mayor Harris closed the public hearing at 8:05 p.m.

Councilmember Lawrence made a motion to approve a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, ADOPTING LAND USE ASSUMPTIONS AND WATER AND WASTEWATER CAPITAL IMPROVEMENTS PLANS RELATING TO POSSIBLE ADOPTION OF WATER AND WASTEWATER IMPACT FEES FOR THE CITY OF KRUM; AND PROVIDING FOR AN EFFECTIVE DATE 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

- 13. Conduct a public hearing and discuss, consider and take action on approval of AN ORDINANCE OF THE CITY OF KRUM, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES, REVISING AND REORDERING CHAPTER 10: SUBDIVISION REGULATIONS, ARTICLE 10.02: SUBDIVISION ORDINANCE, APPENDIX A: SUBDIVISION ORDINANCE, SECTION 6: IMPROVEMENTS, CREATING A NEW SECTION 6.11: PARK LAND DEDICATION AND PARK DEVELOPMENT FEE; 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. Applicant: City of Krum. Case: ORD-2017-03.**

Mayor Ronald G. Harris, Jr. opened the public hearing at 8:07 p.m.

City Planner Tom Elgin provided an overview related to the proposed amendments to the Subdivision ordinance concerning park land dedication and park development fees.

Discussion was held by the City Council. No comments were made by the public.

Mayor Harris closed the public hearing at 8:24 p.m.

Councilmember Lawrence made a motion to approve an ORDINANCE OF THE CITY OF KRUM, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES, REVISING AND REORDERING CHAPTER 10: SUBDIVISION REGULATIONS, ARTICLE 10.02: SUBDIVISION ORDINANCE, APPENDIX A: SUBDIVISION ORDINANCE, SECTION 6: IMPROVEMENTS, CREATING A NEW SECTION 6.11: PARK LAND DEDICATION AND PARK DEVELOPMENT FEE; 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 Strand.

The following votes were cast:

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

The motion carried unanimously.

- 14. Conduct a public hearing and discuss, consider, and take action on AN ORDINANCE OF THE CITY OF KRUM AMENDING THE OFFICIAL ZONING MAP FOR THE CITY BY CHANGING THE ZONING ON A 6.5 ACRE TRACT OF LAND SITUATED IN THE CHARLES DESPALLIER SURVEY, ABSTRACT NO. 370, CITY OF KRUM, DENTON COUNTY, TEXAS, AND MORE COMMONLY KNOWN AS LOT 1A, BLOCK 40, OF THE OLD TOWN KRUM ADDITION, BY CHANGING THE ZONING DISTRICT FROM PLANNED DEVELOPMENT-COMMERCIAL / MULTIFAMILY-1 / MULTIFAMILY-2 (PD-COMM/MF-1/MF-2) TO PLANNED DEVELOPMENT-4-COMMERCIAL / MULTIFAMILY-15 (PD-4-C/MF-15); 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 and Applicant: Daniel L. Hale. Case: ZON-2017-04.**

Mayor Ronald G. Harris, Jr. opened the public hearing at 8:26 p.m.

City Planner Tom Elgin provided information related to the request to change the zoning for an approximate 6.5 acre tract of land from Planned Development-Commercial/Multifamily-1/Multifamily-2 (PD-COMM/MF-1/MF-2) to Planned Development-4-Commercial/Multifamily-15 (PD-4-C/MF-15). Mr. Frank Shelton was in attendance on behalf of the owner/applicant.

Discussion was held by the City Council. No comments were made by the public.

Mayor Harris closed the public hearing at 8:36 p.m.

Councilmember Petersen 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 6.5 ACRE TRACT OF LAND SITUATED IN THE CHARLES DESPALLIER SURVEY, ABSTRACT NO. 370, CITY OF KRUM, DENTON COUNTY, TEXAS, AND MORE COMMONLY KNOWN AS LOT 1A, BLOCK 40, OF THE OLD TOWN KRUM ADDITION, BY CHANGING THE ZONING DISTRICT FROM PLANNED DEVELOPMENT-COMMERCIAL / MULTIFAMILY-1 / MULTIFAMILY-2 (PD-COMM/MF-1/MF-2) TO PLANNED DEVELOPMENT-4-COMMERCIAL / MULTIFAMILY-15 (PD-4-C/MF-15); 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 as submitted with amendments or modifications (and as recommended by the Planning and Zoning Commission and staff) 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.

Mayor Harris called a brief recess at 8:38 p.m. The meeting was called back to order at 8:44 p.m.

15. Conduct a public hearing and discuss, consider and take action on approval of AN ORDINANCE ADOPTING A WATER CONSERVATION AND DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN FOR THE CITY OF KRUM, TEXAS TO PROMOTE THE RESPONSIBLE USE OF WATER AND TO PROVIDE FOR PENALITIES AND/OR THE DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE WATER CONSERVATION AND DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN.

Mayor Ronald G. Harris, Jr. opened the public hearing at 8:44 p.m.

Public Works Director Devon Kennedy provided information related to the request to approve an ordinance adopting a water conservation and drought contingency and water emergency response plan.

Discussion was held by the City Council. Ms. Adrienne Pohrte, 5115 Meadow Lane, inquired about how the plan is conveyed to the public.

Mayor Harris closed the public hearing at 8:48 p.m.

Councilmember Strand made a motion to approve an ORDINANCE ADOPTING A WATER CONSERVATION AND DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN FOR THE CITY OF KRUM, TEXAS TO PROMOTE THE RESPONSIBLE USE OF WATER AND TO PROVIDE FOR PENALITIES AND/OR THE DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE WATER CONSERVATION AND DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN 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.

16. 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 introduced the proposed ordinance that proposes to amend the City's subdivision and zoning fee schedule. Discussion was held by the City Council.

Councilmember Petersen 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 Diviney.

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

City Secretary Andrea Dzioba provided the City Council with background information related to the proposed tower lease agreement. Discussion was held by the City Council.

Councilmember Strand 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 Lawrence.

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 1.06 APPOINTIVE OFFICES BY ADDING SECTION 1.06.012 CITY ADMINISTRATOR; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT; PROVIDING FOR A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

- 19. Discuss, consider and take action on the proposal(s) of Strategic Government Resources and authorize the Mayor to execute all contract documents on behalf of the City of Krum.**

Mayor Harris opened Items numbered 18 and 19. Discussion was held by the City Council.

Councilmember Strand made a motion to table Item No. 18 and Item No. 19 with a second by Councilmembers Petersen.

The following votes were cast:

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

The motion carried unanimously.

- 20. 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 2017-2018; 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 introduced the proposed ordinance adopting amendments to the budget for the Fiscal Year 2017-2018. Discussion was held by the City Council.

Councilmember Strand 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 2017-2018; 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 Petersen.

The following votes were cast:

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

The motion carried unanimously.

- 21. Discuss, consider and take action on approval of a change of the regularly scheduled City Council meeting from January 1, 2018 to January 8, 2018.**

Councilmember Petersen made a motion to approve a change of the regularly scheduled City Council meeting from January 1, 2018 to January 8, 2018 with a second by Councilmembers Lawrence.

The following votes were cast:

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

The motion carried unanimously.

H. EXECUTIVE SESSION

Mayor Harris announced that the City Council would convene in executive session at 9:01 p.m.

- 22. After determining a quorum is present, the City Council will convene in executive session pursuant to Texas Government Code, Section 551.072 – Deliberate the purchase, exchange, lease or value of real property and Section 551.074 – Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.**

- a. 803 E. McCart Street
- b. 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 551.072 and 551.074.

Adjourn into Open Meeting.

The City Council reconvened into the open meeting at 10:05 p.m.

Action on Executive Session Item 22a and 22b if necessary.

Mayor Harris advised that they will proceed as discussed.

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.

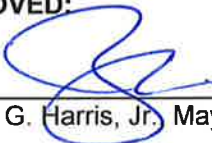
I. FUTURE AGENDA ITEMS

The City Council would like to have the following items on the next City Council agenda: contractor registration fee ordinance; item related to a city administrator and an executive session related to the position; and to receive an update on county roadways.


J. ADJOURN

The meeting adjourned at 10:07 p.m.

APPROVED:



Ronald G. Harris, Jr., Mayor



Andrea Dzioba, City Secretary