



REGULAR CITY COUNCIL MEETING MONDAY, DECEMBER 4, 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 6:32 p.m.

B. QUORUM PRESENT

Those present were Mayor Ronald G. Harris, Jr., Mayor Pro Tem Justin Diviney, Councilmembers Toby L. Lawrence and Mike Strand. Councilmember Rhonda Harrison and 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; City Attorney Lance Vanzant; 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 Mayor Harris.

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. Mayor's Update

Mayor Ronald G. Harris, Jr. gave his thanks to everyone including staff, citizens, and participants that made the Tree Lighting and Parade of Lights a success. Next month he advised that the Council will discuss next year's events and street projects.

2. Discussion – October 2017 Financials

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

3. Discussion and direction on United States Census Bureau 2020 Complete Count Committee

City Planner Tom Elgin discussed the training that has already been received and that staff has already begun participation in the Local Update of Census Address (LUCA) program. He also provided information related to the possible establishment of a Complete Count Committee (CCC). Discussion was held by the City Council. The Council advised that it would like to participate in the 2020 Census by establishing a Complete Count Committee containing five (5) committee members.

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.

- 4. Consider and take action on approval of the minutes from the August 1, 2017 Special City Council meeting.**
- 5. Consider and take action on approval of the minutes from the August 1, 2017 City Council Work Session.**
- 6. Consider and take action on approval of the minutes from the August 3, 2017 City Council Work Session.**
- 7. Consider and take action on approval of an Interlocal Cooperation Agreement with Denton County for Fire Protection Services and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**
- 8. Consider and take action on approval of an Interlocal Cooperation Agreement with Denton County for Ambulance Service and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**
- 9. Consider and take action on acceptance of a grant in the amount of \$25,223.76 from the CoServ Charitable Foundation for the purchase of protective clothing for firefighters for the Krum Fire Department.**
- 11. Consider and take action on approval of the resignation of Andy Shelton from the Krum Economic Development Corporation.**
- 12. Discuss, consider and take action on the application of Lisa McEntire for Krum Economic Development Corporation.**
- 13. Discuss, consider and take action on the application of Richard Troth for Krum Economic Development Corporation.**
- 14. Discuss, consider and take action on the application of Steve Skelton for Krum Economic Development Corporation.**

It was requested by Mayor Pro Tem Justin Diviney that Consent Item No. 10 be considered separately.

Councilmember Diviney made a motion to approve consent agenda items numbers 4 through 9 and 11 through 14 as presented with a second by Councilmember Lawrence.

The following votes were cast:

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

The motion carried unanimously.

10. Consider and take action on approval of the Krum Public Library Art Exhibit Policy and Art Exhibit Agreement.

Discussion was held by the City Council related to the proposed Krum Public Library Art Exhibit Policy and Art Exhibit Agreement.

Councilmember Diviney made a motion to approve the Krum Public Library Art Exhibit Policy and Art Exhibit Agreement with a second by Councilmember Strand.

The following votes were cast:

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

The motion carried unanimously.

G. REGULAR AGENDA ITEMS

15. Discuss, consider and take action on approval of a Preliminary Plat of Fowler Farms Addition 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, 28 of the John W. Gibbons Survey, Abstract No. 446, Denton County, Texas. The existing zoning is Planned Development-3-Single-Family Residential 7.5 (PD-3-SF-7.5). The preliminary plat proposes 177 residential lots and six open space lots. Owners: Donna Ritz, Pamela Fowler Estes, and Freeman Family Living Trust. Applicant: Mark P. Allen, D.R. Horton. Case: PPT-2017-02.

City Planner Tom Elgin provided an overview related to the Preliminary Plat of Fowler Farms Addition. Mr. Jon Kroehler, P.E., Chief Business Development Officer, and Ryan Hill, PE, CFM, for Shield Engineering Group, PLLC were available to answer any questions.

Discussion was held by the City Council related to drainage, lots, and location.

Councilmember Strand made a motion to approve a Preliminary Plat of Fowler Farms Addition 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, 28 of the John W. Gibbons Survey, Abstract No. 446, Denton County, Texas with a second by Councilmember Diviney.

The following votes were cast:

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

The motion carried unanimously.

16. Hold a public hearing and discuss, consider and take action on approval of an ordinance of the City of Krum, Texas, amending the City of Krum Zoning Ordinance regarding food trucks and other mobile food establishments. The amendments may include changes to zoning district regulations, land use charts, special regulations for certain types of uses, definitions, other sections of the Zoning Ordinance pertinent to food trucks and other mobile food establishments, and other miscellaneous Zoning Ordinance standards and regulations. The amendments do not propose to change any zoning district boundaries of the official zoning map and do not propose to change any of the food health safety regulations of the Code of Ordinances. Applicant: City of Krum. Case: ORD-2017-02.

Mayor Ronald G. Harris, Jr. opened the public hearing at 6:53 p.m.

City Planner Tom Elgin provided an overview related to the Zoning Ordinance and the current Specific Use Permit (SUP) requirements related to food trucks and other mobile food vendors.

Bob Minter, 3596 Hopkins Road, advised that he felt that the concerns of Planning and Zoning were mostly about control. Discussion was held by the City Council

Councilmember Lawrence made a motion to continue the public hearing to the January 8, 2018 Regular City Council meeting with a second by Councilmember Strand.

The following votes were cast:

Ayes: Diviney, Lawrence, Strand
Nays: None
Absent: Harrison, 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 APPENDIX A: FEE SCHEDULE, ARTICLE A12.000: SUBDIVISION AND ZONING FEES, SECTION A.12.004: MISCELLANEOUS SUBDIVISION AND ZONING 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 information related to the proposed ordinance and that it corrects a conflict between the Subdivision Ordinance and a miscellaneous fee for park land dedication.

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.12.004: MISCELLANEOUS SUBDIVISION AND ZONING 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 Lawrence.

The following votes were cast:

Ayes: Diviney, Lawrence, Strand
Nays: None
Absent: Harrison, 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 A4.000: BUILDING RELATED FEES, SECTION A.4.004: CONTRACTOR REGISTRATION AND CONTRACTOR REGISTRATION 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.**

City Planner Tom Elgin introduced the proposed ordinance that incorporates the information requested by the City Council. A brief discussion was held by the City Council.

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 A4.000: BUILDING RELATED FEES, SECTION A.4.004: CONTRACTOR REGISTRATION AND CONTRACTOR REGISTRATION 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 Lawrence.

The following votes were cast:

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

The motion carried unanimously.

H. EXECUTIVE SESSION

Mayor Harris announced that the City Council would convene in executive session at 7:11 p.m.

19. 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. City Administrator**
- 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 551.074.

Adjourn into Open Meeting.

The City Council reconvened into the open meeting at 7:41 p.m.

Action on Executive Session Item 19a and 19b if necessary.

Mayor Harris advised that they will take action as discussed. Councilmember Mike Strand thanked Library Director Donna Pierce for the work she has done and coming so far on the managed action plan and encouraged her to keep it up. The Council advised Library Director Donna Pierce that they did not require the summary or written sign-in sheet for volunteers. They believed that she should be able to include the information related to court-appointed and others on two (2) pages.

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: discussion items related to evaluation of the Tree Lighting and Parade of Lights and include a summary from Chief Hargis and Chief Swindle related to the pros and cons of both potential locations; and an update related to the KYCC property.

J. ADJOURN

The meeting adjourned at 7:48 p.m.

APPROVED:



Ronald G. Harris, Jr., Mayor



Andrea Dzioba, City Secretary