REGULAR CITY COUNCIL MEETING
MONDAY, JUNE 3, 2013 at 6:30 P.M.

KRUM CITY HALL – 146 W. McCART STREET

Terri Wilson, Mayor
Paul Meine, Councilmember - Pl.1
Bert Witherspoon, Councilmember - Pl.3
Lance Vanzant, City Attorney

Joe Beall, Mayor Pro-Tem
Michael B. Wilkes, Councilmember - Pl.4
Christine Rodriguez, Councilmember - Pl.5
Andrea Dzioba, City Secretary

MINUTES

A. CALL TO ORDER

Mayor Terri Wilson called the meeting to order at 6:30 p.m.

B. QUORUM PRESENT

Those present were Mayor Terri Wilson and Councilmembers Michael Wilkes, Paul Meine, Joe Beall, and Bert Witherspoon. Councilmember Christine Rodriguez was absent. Also present were City Attorney Lance Vanzant, Director of Public Works Adam Farguson, Police Chief Dennis Bassinger, Fire Chief Ken Swindle, Library Director Donna Pierce and City Secretary Andrea Dzioba.

C. INVOCATION/PLEDGE OF ALLEGIANCE

Councilmember Joe Beall gave the invocation.

Mayor Wilson led the pledges to the United States Flag and the Texas Flag.

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. Troy Mernatti, 124 Thoroughbred Drive, spoke regarding the Federal Firearms License and having a reasonable right to privacy.

E. 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.**

1. **Consider and take action on approval of the minutes from the May 6, 2013 Regular City Council meeting.**

2. **Consider and take action on approval of the minutes from the May 20, 2013 Special City Council meeting.**

3. **Consider and take action on approval of the proposed Loan Policy, proposed Overdue Policy, and the proposed Fees and Fines Policy for the Krum Public Library.**

Councilmember Wilkes made a motion to approve the consent agenda items as presented with a second by Councilmember Beall.

The following votes were cast:
Ayes: Wilkes, Meine, Beall, Witherspoon
Nays: None
Absent: Rodriguez

The motion carried unanimously.

F. REGULAR AGENDA ITEMS

4. **Discuss, consider and take action to elect a Mayor Pro Tem for a one-year term.**

Councilmember Meine made a motion to elect Michael B. Wilkes as Mayor Pro Tem for a one-year term with a second by Councilmember Beall.

The following votes were cast:
Ayes: Meine, Beall, Witherspoon
Nays: None
Absent: Rodriguez
Abstain: Wilkes

The motion carried unanimously.

5. **Discuss, consider and take action on an Engagement Agreement with Vybranz LLC for Cost Reduction Solutions.**

Councilmember Beall made a motion to table this item with a second by Councilmember Meine.

The following votes were cast:
Ayes: Wilkes, Meine, Beall, Witherspoon
Nays: None
Absent: Rodriguez

The motion carried unanimously.

6. **Discuss, consider and take action on an ORDINANCE OF THE CITY OF KRUM, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF KRUM, APPENDIX A FEE SCHEDULE, BY ADDING AN ARTICLE A13.000 PUBLIC LIBRARY FEES AND FINES, 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 ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

Councilmember Meine made a motion to approve Ordinance No. 2013-06-01 of the City of Krum, Texas amending the Code of Ordinances of the City of Krum, Appendix A Fee Schedule, by adding an Article A13.000 Public Library Fees and Fines, 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 engrossment and enrollment; and providing an effective date with a second by Councilmembers Wilkes and Witherspoon.

The following votes were cast:
Ayes: Wilkes, Meine, Beall, Witherspoon
Nays: None
Absent: Rodriguez

The motion carried unanimously.

The following agenda items appear with their original item numbers but in the order in which they were considered during the meeting:

8. **Discuss, consider and take action on an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, ("CITY") APPROVING AND ADOPTING RATE SCHEDULE "RRM – RATE REVIEW MECHANISM" FOR ATMOS ENERGY CORPORATION, MID-TEX DIVISION TO BE IN FORCE IN THE CITY FOR A PERIOD OF TIME AS SPECIFIED IN THE RATE SCHEDULE; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND ACSC LEGAL COUNSEL.**

   Councilmember Beall made a motion to approve Ordinance No. 2013-06-02 of the City Council of the City of Krum, Texas, ("City") approving and adopting rate schedule "RRM – Rate Review Mechanism" for Atmos Energy Corporation, Mid-Tex Division to be in force in the City for a period of time as specified in the rate schedule; adopting a savings clause; determining that this Ordinance was passed in accordance with the requirements of the Texas Opens Meetings Act; declaring an effective date; and requiring delivery of this Ordinance to the Company and ACSC legal counsel with a second by Councilmember Meine.

   The following votes were cast:
   Ayes: Wilkes, Meine, Beall, Witherspoon
   Nays: None
   Absent: Rodriguez

   The motion carried unanimously.

11. **Discuss, consider and take action regarding approving First United Bank's Bank Depository Agreement.**

   Mr. Carroll Monden from First United Bank made a presentation regarding the services that they would provide to the City of Krum. Mayor Terri Wilson read a letter of support for First United Bank from Mr. Chris Farmer of Northstar Bank.

   Councilmember Wilkes made a motion to approve First United Bank's Bank Depository Agreement with a second by Councilmember Beall.

   The following votes were cast:
   Ayes: Wilkes, Meine, Beall, Witherspoon
   Nays: None
   Absent: Rodriguez

   The motion carried unanimously.

7. **Discuss, consider and take action on fundraising options related to the new Krum Public Library to be constructed.**

   Library Director Donna Pierce and Library Board Member Kelly Ring gave a brief presentation regarding fundraising options that they would like to consider related to the new Krum Public Library. Discussion was held by the City Council.

9. **Discuss and consider the timeline and available options related to the new Krum Public Library to be constructed.**

   Mayor Wilson provided information related to the timeline provided by First Southwest and available options related to the new Krum Public Library to be constructed. Discussion was held by the City Council, Library Director Donna Pierce and Library Board Member Kelly Ring.

12. **Discuss, consider and take action on a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, ESTABLISHING THAT THE COMMUNITY MOVIE EVENT ON JUNE 22, 2013 SERVES A PUBLIC PURPOSE AND AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CLOSURE OF PORTIONS OF FM 1173 IN THE CITY LIMITS OF THE CITY OF KRUM, TEXAS.**

Police Chief Dennis Bassinger gave a presentation related to his concerns about closing portions of FM 1173 related to the community movie events. City Attorney Lance Vanzant stated that if Chief Bassinger wouldn't recommend closing a portion of FM 1173 and would advise against it that he wouldn't do it. Discussion was held by the City Council and Police Chief Bassinger. Chief Bassinger was asked to see if an alternative location could be found where the community movie event could be held within the downtown area. No action was taken on the resolution.

10. **Discuss, consider and take action on options regarding fire station and public works facility.**

Discussion was held by the City Council, Fire Chief Ken Swindle, and Director of Public Works Adam Farguson about the options available regarding the fire station and public works facility. The City Council determined that it wanted to bring the item back to the voters in November. City Secretary Andrea Dzioba provided estimates related to the costs associated with holding a November election. Mayor Wilson suggested that a public meeting be held prior to the July 1, 2013 Regular City Council meeting to discuss, provide information and respond to questions regarding the proposed joint Fire Station/Public Works facility.

G. EXECUTIVE SESSION – None.

H. ADJOURN

Prior to adjournment, Mayor Wilson read an e-mail that was received thanking the Police Department for their help and courteousness on several occasions and a note that was received with a check for $50.00 in thanks to Chief Swindle and the Fire Department for their courteous service and help when a group of people had car trouble upon entering the City.

There being no further business, Mayor Terri Wilson adjourned the meeting at 7:35 p.m.

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.

APPROVED:

Terri Wilson, Mayor

Andrea Dzioba, City Secretary