REGULAR CITY COUNCIL MEETING
MONDAY, JULY 1, 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, Councilmember - Pl.2
Michael B. Wilkes, Mayor Pro-Tem
Christine Rodriguez, Councilmember - Pl.5
Andrea Dzioba, City Secretary

MINUTES

A. CALL TO ORDER

Mayor Terri Wilson called the meeting to order at 6:36 p.m.

B. QUORUM PRESENT

Those present were Mayor Terri Wilson and Councilmembers Christine Rodriguez, Michael Wilkes, Paul Meine, Joe Beall, and Bert Witherspoon. Also present were City Attorney Lance Vanzant, Director of Finance Chris Speights, Director of Public Works Adam Farguson, Fire Chief Ken Swindle, Police Chief Dennis Bassinger, 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. Floyd Rosenkranz, 5042 Miller Road, suggested that the Mayor and City Council receive monthly payments for their service to the City. Mr. Rosenkranz proposed a payment of $100.00 per month for the Mayor and $50.00 per month for the City Councilmembers.

E. PROCLAMATION

1. Proclamation – "Parks and Recreation Month"

Mr. Earl Ramsey introduced the Parks Advisory Board members in attendance and thanked the City Council for their support and for acknowledging July as "Parks and Recreation Month".

Mayor Wilson presented the proclamation to Mr. Earl Ramsey, Ms. Patsy Phillips, and Mr. Les Bishop from the Parks Advisory Board.

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.**

2. **Consider and take action on approval of the minutes from the June 3, 2013 Regular City Council meeting.**

3. **Discuss, consider and take action on a RESOLUTION APPROVING THE "DRAFT" DENCO AREA 9-1-1 DISTRICT FISCAL YEAR 2014 FINANCIAL PLAN, PURSUANT TO THE TEXAS HEALTH AND SAFETY CODE, CHAPTER 772, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.**

4. **Discuss, consider and take action on a grant in the amount of $25,000.00 from the CoServ Charitable Foundation Board of Directors for the purchase of extrication equipment and rescue struts for the Krum Fire Department.**

5. **Discuss, consider and take action on approval of an Interlocal Cooperation Agreement for Tax Collection between Denton County and the City of Krum.**

6. **Discuss, consider and take action on approval of an Interlocal Cooperation Agreement between Denton County and the City of Krum related to general maintenance and repair to a portion of Hopkins Road.**

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

The following votes were cast:

Ayes:	Rodriguez, Wilkes, Meine, Beall, Witherspoon
Nays:	None
Absent:	None

The motion carried unanimously.

G. REGULAR AGENDA ITEMS

7. **PUBLIC HEARING on a request by Michael Moreland for a Specific Use Permit to allow an Ice and Water Vending Kiosk to be place at A0370A Despallier, Tr38B or more generally located on property that is south of West McCart Street, east of Jackson Street and west of the AT&SF railroad tracks.**

Mayor Wilson opened the public hearing.

Michael Moreland, Josh Jones, and Elton Moreland introduced themselves to the City Council and provided information regarding the Ice and Water Vending Kiosk.

No other individuals requested to speak during the public hearing.

Mayor Wilson closed the public hearing.

8. **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 TRACT OF LAND DESCRIBED AS A0370A DESPALLIER, TRACT 38B BY CHANGING THE ZONING DISTRICT FROM COMMERCIAL TO COMMERCIAL/SPECIFIC USE PERMIT/ICE AND WATER KIOSK (C/SUP/ICE AND WATER KIOSK) WITH CONDITIONS; REQUIRING COMPLIANCE WITH ALL OTHER APPLICABLE ORDINANCES; DIRECTING THE CITY SECRETARY TO CHANGE THE ZONIING MAP ACCORDINGLY; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Wilson pointed out that there were conditions included in the proposed ordinance. Mr. Michael Moreland stated that he could meet the conditions except for condition number 3. Mr. Moreland stated that covering the condenser units will restrict the airflow and possibly cause them to run less efficiently. Councilmember Witherspoon asked Mr. Moreland if he would consider lattice-work. Mr. Moreland agreed to cover the condenser units with lattice-work. Discussion was held by the City Council.

Councilmember Witherspoon made a motion to approve Ordinance No. 2013-07-01 Amending the Official Zoning Map for the City by Changing the Zoning on a Tract of Land Described as A0370A Despallier, Tract 38B by Changing the Zoning District from Commercial to Commercial/Specific Use permit/Ice and Water Kiosk (C/SUP/Ice and Water Kiosk) with Conditions; Requiring Compliance with All Other Applicable Ordinances; Directing the City Secretary to Change the Zoning Map Accordingly; Providing for a Severability Clause; and Providing for an Effective Date with a second by Councilmember Rodriguez.

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

The motion carried unanimously.

9. **PUBLIC MEETING to provide information and hear public comment regarding the proposed application for a Texas Capital Fund grant through the Texas Department of Agriculture for the installation of a public parking lot for use in the downtown Krum area.**

Mayor Wilson opened the public meeting. There were no individuals present to speak during the public meeting.

Mayor Wilson closed the public meeting.

10. **Discuss, consider and take action on approval of Citizen Complaint Procedures for the Texas Community Development Block Grant Program.**

Councilmember Rodriguez made a motion to approve the Citizen Complaint Procedures for the Texas Community Development Block Grant Program with a second by Councilmember Witherspoon.

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

The motion carried unanimously.

11. **Discuss, consider and take action on approval of the Citizen Participation Plan.**

Councilmember Rodriguez made a motion to approve the Citizen Participation Plan with a second by Councilmember Witherspoon.

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

The motion carried unanimously.

12. **Discuss, consider and take action on a RESOLUTION APPROVING AN APPLICATION FOR FUNDING THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE DOWNTOWN REVITALIZATION PROGRAM.**

Mayor Wilson provided information regarding the Application for Funding through the Texas Department of Agriculture Downtown Revitalization Program.

Councilmember Rodriguez made a motion to approve Resolution No. 2013-07-02 Approving an Application for Funding through the Texas Department of Agriculture Downtown Revitalization Program with a second by Councilmember Wilkes.

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

The motion carried unanimously.

13. **Discuss, consider and take action on a RESOLUTION DESIGNATING A SPECIFIC LOCATION AS BLIGHTED AND IN NEED OF IMPROVEMENTS FOR THE SAFETY AND WELL BEING OF THE PUBLIC.**

Councilmember Rodriguez made a motion to approve Resolution No. 2013-07-03 Designating a Specific Location as Blighted and in Need of Improvements for the Safety and Well Being of the Public with a second by Councilmember Beall.

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

The motion carried unanimously.

14. **Discuss, consider and take action on an Application for Business Incentive from Scott Sackett.**

Councilmember Rodriguez reminded the City Council that approval of the application would be the same as they previously approved being that they would pay 70% if within 90 days of approval by Council up to $1,672.00; but if after 90 days will pay 50% up to $875.00.

Councilmember Rodriguez made a motion to approve the Application for Business Incentive from Scott Sackett regarding the installation of a monitored fire alarm system at 126 West McCart Street with a second by Councilmember Wilkes.

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

The motion carried unanimously.

15. **Discuss, consider and take action on an Application for Business Incentive from the Krum Heritage Museum.**

Councilmember Meine made a motion to approve the Application for Business Incentive from the Krum Heritage Museum regarding the installation of a monitored fire alarm system at 150 West McCart Street with a second by Councilmember Witherspoon.

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

The motion carried unanimously.

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

Finance Director Chris Speights made a presentation and provided information to the City Council regarding Vybranz LLC and the references that she has received regarding their services. Discussion was held by City Council.

Councilmember Meine made a motion to approve an Engagement Agreement with Vybranz LLC for Cost Reduction Solutions with a second by Councilmember Wilkes.

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

The motion carried unanimously.

17. **Discuss, consider and take action on a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS AUTHORIZING PARTICIPATION IN THE TEXAS MAIN STREET PROGRAM AND DESIGNATING THE MAYOR TO COORDINATE PROGRAM ACTIVITIES.**

Councilmember Rodriguez provided information regarding the Texas Main Street Program and the application process. Discussion was held by the City Council.

Councilmember Witherspoon made a motion to approve Resolution No. 2013-07-04 Authorizing Participation in the Texas Main Street Program and Designating the Mayor to Coordinate Program Activities with Section 2. edited to read: "That the Krum Economic Development Corporation will provide an adequate budget...." with a second by Councilmember Rodriguez.

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

The motion carried unanimously.

18. **Discuss, consider and take action to accept a Strategic Technology Plan and Maintenance Contract and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**

Finance Director Chris Speights provided background regarding the requested proposals and informed the City Council that they will be receiving presentations from the IT vendors who provided proposals to the City of Krum.

Presentations were made by the following:

Ms. Sandy Denny, Account Executive, and Mr. Keith Klenke, Systems Engineer, from The Harding Group; Mr. Daniel Rosser, Technology Partner, from Agent IT Solutions; and Mr. Matt Foreman from Local Circuit.

Discussion was held by the City Council. This item was tabled and will be included on the agenda for the August 5, 2013 Regular City Council Meeting for the consideration of the City Council.

19. **Discuss, consider and take action on an ORDINANCE OF THE CITY OF KRUM, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF KRUM, CHAPTER 1, GENERAL PROVISIONS, ARTICLE 1.12, PARKS AND RECREATION, DIVISION 3. PARK RULES, SEC. 1.12.084 USE OF CONCESSION STAND AND SEC. 1.12.085 USE OF BALLFIELDS; 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.**

Director of Public Works Adam Farguson made a presentation regarding the proposed Ordinance. Discussion was held by the City Council.

Councilmember Beall made a motion to approve Ordinance No. 2013-07-02 Amending the Code of Ordinances of the City of Krum, Chapter 1, General Provisions, Article 1.12, Parks and Recreation, Division 3. Park Rules, Sec. 1.12.084 Use of Concession Stand and Sec. 1.12.085 Use of Ballfields; 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 Councilmember Witherspoon.

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

The motion carried unanimously.

20. **Discuss, consider and take action to set a date for a City Council Budget Work Session.**

Finance Director Chris Speights made a presentation regarding the possible dates and the expected budget process.

Discussion was held by the City Council. A City Council Budget Work Session will be held on Thursday, July 11, 2013 at 6:30 p.m.

21. **Discuss, consider and take action on a RESOLUTION OF THE CITY OF KRUM, TEXAS NOMINATING ONE MEMBER TO THE BOARD OF MANAGERS OF THE DENCO AREA 9-1-1 DISTRICT.**

Discussion was held by the City Council and Councilmember Witherspoon stated that he would like to be nominated to the Board of Managers of the Denco Area 9-1-1 District.

Councilmember Rodriguez made a motion to approve Resolution No. 2013-07-05 Nominating One Member (Bert Witherspoon) to the Board of Managers of the Denco Area 9-1-1 District with a second by Councilmember Beall.

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

The motion carried unanimously.

22. **Discuss, consider and take action on a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, ADOPTING THE PARS TRUST, INCLUDING THE PARS SECTION 457 FICA ALTERNATIVE RETIREMENT PLAN; APPOINTING A PLAN ADMINISTRATOR; AND AUTHORIZING THE PLAN ADMINISTRATOR TO IMPLEMENT THE PLAN(S), EXECUTE THE PARS DOCUMENTS ON BEHALF OF THE CITY, AND TAKE ACTION TO MAINTAIN THE CITY'S PARTICIPATION AND COMPLIANCE WITH ANY RELEVANT REGULATION.**

Finance Director Chris Speights made a presentation regarding the PARS Trust and the benefits to part-time employees and the cost-savings to the City of Krum. Discussion was held by the City Council.

Councilmember Meine made a motion to approve Resolution No. 2013-07-06 Adopting the PARS Trust, Including the PARS Section 457 FICA Alternative Retirement Plan; Appointing a Plan Administrator; and Authorizing the Plan Administrator to Implement the Plan(s), Execute the PARS Documents on Behalf of the City, and Take Action to Maintain the City's Participation and Compliance with Any Relevant Regulation with a second by Councilmember Wilkes.

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

The motion carried unanimously.

23. **Discuss, consider and take action on an ORDINANCE OF THE CITY OF KRUM, TEXAS, ADOPTING AN AMENDMENT TO THE BUDGET OF THE CITY OF KRUM, TEXAS FOR THE FISCAL YEAR 2012-2013; 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.**

Police Chief Dennis Bassinger made a presentation regarding the proposed ordinance adopting an amendment to the budget of the City of Krum, Texas for the Fiscal Year 2012-2013. Discussion was held by the City Council.

Councilmember Rodriguez made a motion to approve Ordinance No. 2013-07-03 Adopting an Amendment to the Budget of the City of Krum, Texas for the Fiscal Year 2012-2013; 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 Wilkes.

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

The motion carried unanimously.

24. **Discuss, consider and take action on approval of a variance request to allow excavation and concrete work to take place outside of the hours allowed under Section 8.03.004(5) of the Code of Ordinances for the City of Krum.**

Kate Kennedy from EIKON Consultant Group, LLC and Darrel Durant from Pete Durant & Associates were in attendance to respond to any questions regarding the variance request. Discussion was held by the City Council.

Councilmember Beall made a motion to approve a variance request to allow excavation and concrete work to take place outside of the hours allowed under Section 8.03.004(5) of the Code of Ordinances for the City of Krum with a second by Councilmember Witherspoon.

The following votes were cast:

Ayes:	Rodriguez, Wilkes, Meine, Beall, Witherspoon
Nays:	None
Absent:	None

The motion carried unanimously.

H. EXECUTIVE SESSION

25. **Section 551.072, Texas Government Code – Deliberate the purchase, exchange, lease or value of real property.**

    a. **A portion of a parcel of land out of Thomas Polk Survey, Abstract No. 998, Denton County Texas.**

26. **Adjourn into Open Meeting.**

27. **Action on Executive Session Item if necessary.**

The City Council did not go into Executive Session and discussed this item during the Open Meeting. Mr. Earl Ramsey representing the Eaglechase Homeowners Association made a presentation regarding his proposal to lease and/or use a piece of property adjacent to their current community park area. The Eaglechase Homeowners Association plans on maintaining the property and installing improvements for the use of the homeowners in Eaglechase and the residents of the City of Krum.

City Attorney Lance Vanzant suggested that Mr. Earl Ramsey provide a specific written plan to the City Council prior to their moving forward with an agreement.

I. ADJOURN

Prior to adjournment, Mayor Terri Wilson invited everyone to attend the Community Movie Night that will be held on Saturday, July 27, 2013.

There being no further business, Mayor Terri Wilson adjourned the meeting at 8:24 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