



REGULAR CITY COUNCIL MEETING MONDAY, DECEMBER 1, 2014 at 5:30 P.M.

KRUM CITY HALL – 146 W. McCART STREET

Terri Wilson, Mayor
Nick Vincent, Councilmember - PI.1
Justin Diviney, Councilmember - PI.3
Lance Vanzant, City Attorney

Joe Beall, Councilmember - PI.2
Michael B. Wilkes, Mayor Pro-Tem
Christine Rodriguez, Councilmember - PI.5
Andrea Dzioba, City Secretary

MINUTES

A. CALL TO ORDER

Mayor Terri Wilson called the meeting to order at 5:32 p.m.

B. QUORUM PRESENT

Those present were Mayor Terri Wilson and Councilmembers Michael Wilkes, Nick Vincent, Joe Beall, and Christine Rodriguez. Councilmember Justin Diviney arrived at 5:41 p.m. Also present were Police Chief Terry Hargis, Fire Chief Ken Swindle, Public Works Director Mark Patterson, Library Director Donna Pierce, City Engineer Gabe Johnson (arrived at 6:35 p.m.), City Planner Sherry Sefko (arrived at 5:52 p.m.), City Attorney Lance Vanzant and City Secretary Andrea Dzioba.

C. INVOCATION/PLEDGE OF ALLEGIANCE

Councilmember Joe Beall gave the invocation.

Mayor Terri 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.

No one signed up to speak during the Citizen's Agenda.

E. DISCUSSION

1. Engineering Update – Gabe Johnson, Johnson Civil Engineering – Park Road Entry Project; Wastewater Treatment Plant; and Safe Routes to School Project.

This item was handled at the end of the meeting after reconvening at 7:20 p.m.

City Engineer Gabe Johnson advised that the Park Entry Road Project was advertised and expects that it will come in around \$44,000.00 after the bids are received. Mr. Johnson reviewed the expected timeline concerning construction.

Mr. Johnson provided an update regarding the progress that has been made on the Wastewater Treatment Plant.

Mr. Johnson advised that the Safe Routes to School Project was approximately 70% complete. Mr. Johnson discussed that some of the roads are narrower than expected with the curbs that have been put in place in some areas. They will be looking into those areas to see what can be done on those streets. He also spoke about how some of the sidewalks abruptly end but has been told that they are Texas Department of Transportation compliant. He will verify that this is correct information.

- 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 November 3, 2014 Regular City Council meeting.**
 3. **Consider and take action on approval of the October 2014 Financials.**
 4. **Consider and take action to approve payment of "fair share" support of the Children's Advocacy Center of Denton County for FY 2014-2015.**

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

The following votes were cast:

Ayes: Vincent, Beall, Wilkes, Rodriguez
Nays: None
Absent: Diviney

The motion carried unanimously.

G. **REGULAR AGENDA ITEMS**

5. **Hold the first public hearing regarding the proposed voluntary annexation of an approximately 60.1± acre tract of land, said property being generally located on the east side of Hopkins Road at Radecke Road, in Denton County, Texas (Legal description: Tract 15 in the John W. Gibbons Survey, Abstract No. 446, Denton County, Texas). (A2014-01)**

Mayor Terri Wilson opened the first public hearing at 5:35 p.m. No one requested to speak. Mayor Terri Wilson closed the first public hearing at 5:36 p.m.

6. **Discuss, consider and take action to approve the award of Design-Build Services for a Fire Station, Public Works Facility and Public Library.**

Councilmember Justin Diviney arrived at 5:41 p.m.

A brief discussion was held by the City Council.

Councilmember Beall made a motion to approve the award of Design-Build Services for a Fire Station, Public Works Facility and Public Library to Tim Beaty Builders with a second by Councilmember Rodriguez and Councilmember Vincent.

The following votes were cast:

Ayes: Vincent, Beall, Diviney, Wilkes, Rodriguez
Nays: None
Absent: None

The motion carried unanimously.

7. Discuss and consider future purchase of a new fire truck.

Fire Chief Ken Swindle made a presentation regarding the future purchase of a new fire truck.

Discussion was held regarding which vehicles are currently in service and which vehicle would be replaced with the new fire truck. Councilmember Beall asked whether we need to focus on bringing the pay scales up for employees before bringing in additional equipment. Discussion was held regarding the need for a vehicle replacement plan.

Fire Chief Ken Swindle advised the City Council that he had a lot of existing equipment that could be used to equip a good percentage of what would be needed for a new fire truck. The City Council expressed concern about whether the City could sustain both a new fire truck and continued increases in salaries for employees.

Mayor Wilson left the meeting at 5:58 p.m. Mayor Pro Tem Wilkes took over conducting the meeting at that time. Councilmember Beall assisted since Mayor Pro Tem Wilkes' voice was compromised.

No action was taken.

8. Discuss, consider and receive public input relating to the City of Krum Annex to the Denton County Multi-Jurisdictional Hazard Mitigation Action Plan.

Fire Chief Ken Swindle introduced this item to the City Council, provided background information, and outlined the benefits regarding the City of Krum Annex to the Denton County Multi-Jurisdictional Hazard Mitigation Action Plan.

Mayor Pro Tem Michael Wilkes opened the item up for public input at 6:03 p.m. No one requested to speak. Mayor Pro Tem Michael Wilkes closed the item for public input at 6:04 p.m.

No action was taken.

9. Discuss, consider and take action regarding the ponds located at the Wastewater Treatment Plant.

Public Works Director Mark Patterson made a presentation to the City Council regarding the ponds located at the Wastewater Treatment Plant. He suggested that the City Council table this item until he is able to receive some additional information from the contractor. Discussion was held by the City Council.

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

The following votes were cast:

Ayes: Vincent, Beall, Diviney, Wilkes, Rodriguez
Nays: None
Absent: None

The motion carried unanimously.

10. Discuss, consider and take action on an approximately 320' easement to Oncor at the Wastewater Treatment Plant.

Public Works Director Mark Patterson made a presentation to the City Council regarding the approximately 320' easement to Oncor at the Wastewater Treatment Plant. Discussion was held by the City Council.

Councilmember Beall made a motion to approve the approximately 320' easement to Oncor at the Wastewater Treatment Plant with a second by Councilmember Rodriguez.

The following votes were cast:

Ayes: Vincent, Beall, Diviney, Wilkes, Rodriguez

Nays: None

Absent: None

The motion carried unanimously.

11. **Discuss, consider and take action on approval of an ORDINANCE OF THE CITY OF KRUM, TEXAS, ADOPTING AMENDMENTS TO THE BUDGET OF THE CITY OF KRUM, TEXAS FOR THE FISCAL YEAR 2014-2015; FINDING THAT THE MEETING 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.**

Councilmember Rodriguez 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 2014-2015; FINDING THAT THE MEETING 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 Beall.

The following votes were cast:

Ayes: Vincent, Beall, Diviney, Wilkes, Rodriguez

Nays: None

Absent: None

The motion carried unanimously.

12. **Hold the second public hearing regarding the proposed voluntary annexation of an approximately 60.1± acre tract of land, said property being generally located on the east side of Hopkins Road at Radecke Road, in Denton County, Texas (Legal description: Tract 15 in the John W. Gibbons Survey, Abstract No. 446, Denton County, Texas). (A2014-01)**

Councilmember Joe Beall introduced the item. Mayor Pro Tem Michael Wilkes opened the second public hearing at 6:12 p.m. No one requested to speak. Mayor Pro Tem Michael Wilkes closed the second public hearing at 6:12 p.m.

13. **Discuss the proposed voluntary annexation of an approximately 60.1± acre tract of land, said property being generally located on the east side of Hopkins Road at Radecke Road, in Denton County, Texas (Legal description: Tract 15 in the John W. Gibbons Survey, Abstract No. 446, Denton County, Texas).**

Discussion was held by the City Council and Public Works Director Mark Patterson provided responses related to availability and adequacy of sewer lines and water supply. Mr. Mark Allen from D.R. Horton was available to answer any questions that the City Council may have. City Planner Sherry Sefko was also available to respond to any inquiries.

No action was taken.

14. **Hold a Public Hearing to consider a zoning request initiated by D.R. Horton – Texas, Ltd. to zone a 60.1± acre property to Single-Family Residential 4A (SF-4A), said property being generally located on the east side of Hopkins Road at Radecke Road, in Denton County, Texas (Legal description: Tract 15 in the John W. Gibbons Survey, Abstract No. 446, Denton County, Texas). (Z2014-06)**

Councilmember Joe Beall opened the public hearing at 6:19 p.m.

Mayor Wilson re-joined the meeting at 6:19 p.m.

Mr. Craig Barnes, President, Shield Engineering Group, made a presentation to the City Council related to the zoning request and the background of the request.

Mr. Tom Shaw, 27 Finley Circle, addressed the City Council. He advised that he is also the Chair of the Planning & Zoning Commission. He provided the City Council with information about the thought process of the Planning & Zoning Commission. He advised that they believe that the City of Krum needs "lifecycle housing" and that the Planning & Zoning Commission looked at the proposal from D.R. Horton and did not think that this proposal would be the best use for the land.

Mr. Mark Allen from D.R. Horton addressed the City Council. He spoke about the floodplain and stated that they would perform flood engineering studies and that the flows post-development would not be any greater than pre-development flows.

Mayor Terri Wilson closed the public hearing at 6:35 p.m.

No action was taken.

- 15. Discuss a zoning request initiated by D.R. Horton – Texas, Ltd. to zone a 60.1± acre property to Single-Family Residential 4A (SF-4A), said property being generally located on the east side of Hopkins Road at Radecke Road, in Denton County, Texas (Legal description: Tract 15 in the John W. Gibbons Survey, Abstract No. 446, Denton County, Texas). (Z2014-06)**

City Planner Sherry Sefko made a presentation to the City Council regarding the zoning request initiated by D. R. Horton – Texas, Ltd. Councilmember Vincent asked about what zoning/density options are available. City Planner Sherry Sefko provided information about some of the multiple options available.

Mr. Craig Barnes, Shield Engineering Group, and Mr. Mark Allen, D.R. Horton, advised the City Council about the proposed zoning request and possible future development of the property.

City Engineer Gabe Johnson addressed questions related to potential traffic impact, traffic studies and the usefulness of a thoroughfare plan.

Extensive discussion was held by the City Council about what the best use of the property would be and what they would like to see in the future.

No action was taken.

- 16. Discuss, consider and take action on a request for approval of a Preliminary Plat of the Winding Creek Addition, an approximate 60.1± acre property generally located on the east side of Hopkins Road at Radecke Road, in Denton County, Texas (legal description: Tract 15 in the John W. Gibbons Survey, Abstract No. 446, Denton County, Texas), subject to completion of annexation proceedings such that the property can be served by essential public facilities and services by the City of Krum, and subject to finalization of the zoning on the property if it is annexed into the City of Krum.**

City Planner Sherry Sefko made a presentation to the City Council regarding the request for approval of a Preliminary Plat of the Winding Creek Addition. She discussed how future zoning decisions would later impact the Preliminary Plat. Mr. Mark Allen stated that he did fail to send a letter on letterhead as previously discussed at the Planning & Zoning Commission meeting. Mr. Tom Shaw, Chair of the Planning & Zoning Commission, reviewed the actions at the Planning & Zoning Commission meeting as it relates to the letter as requested to extend the 30-day time constraints as it relates to a preliminary plat. Discussion was held by the City Council.

Councilmember Beall made a motion to deny without prejudice the Preliminary Plat for technical noncompliance reasons and also for lack of a favorable recommendation by the Planning & Zoning Commission with a second by Councilmember Rodriguez.

The following votes were cast:

Ayes: Vincent, Beall, Diviney, Wilkes, Rodriguez
Nays: None
Absent: None

The motion carried.

Councilmember Beall requested a short break. Mayor Wilson called a recess at 7:13 p.m. The meeting was called back to order at 7:20 p.m.

At this time, City Engineer Gabe Johnson provide the City Council with his Engineering Update.

H. EXECUTIVE SESSION – None

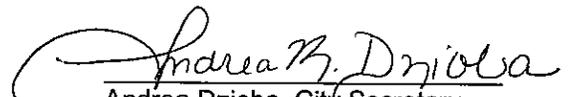
Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations Regarding Real Property), 551.074 (Deliberations Regarding the Appointment, Duties, Discipline or Termination of Personnel) and 551.087 (Deliberation Regarding 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. ADJOURN

There being no further business, Mayor Terri Wilson adjourned the meeting at 7:30 p.m.

APPROVED:


Terri Wilson, Mayor


Andrea Dzioba, City Secretary