



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

KRUM CITY HALL – 146 W. McCART STREET

Terri Wilson, Mayor
Paul Meine, Councilmember - PI.1
Bert Witherspoon, 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, Paul Meine, and Joe Beall. Councilmember Bert Witherspoon was absent. Also present were Interim Police Chief Terry Hargis, Finance Director Chris Speights, Library Director Donna Pierce, City Planner Sherry Sefko and City Secretary Andrea Dzioba.

Councilmember Christine Rodriguez arrived at 5:38 p.m. City Attorney Lance Vanzant arrived at 5:46 p.m. Fire Chief Ken Swindle arrived at 6:09 p.m.

C. INVOCATION/PLEDGE OF ALLEGIANCE

Councilmember Michael Wilkes 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.

Ms. Rachel Spencer, 103 W. Lloyd Street, spoke about Shop Local and the Krum Police Department transmission replacement.

Ms. Debbie Reyna, 1321 Dakota Trail, spoke about the garage sale permit cost and suggested that there not be a charge for the permit.

E. INTRODUCTION

- Introduction of the new City Engineer

The new City Engineer was not present at the meeting. No introduction was made at this time.

F. PRESENTATION

1. Proclamation – “Motorcycle Safety and Awareness Month”

Interim Police Chief Terry Hargis read the proclamation and presented it to members of the Jinetes Perdidos and the Iron Guardians.

2. Presentation – Radio Station – Dick Witkovski

Dick Witkovski made a presentation regarding his desire for a radio station in Denton County and urged people to write to the FCC requesting that there once again be an active radio station in Denton County.

G. 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.

3. **Consider and take action on approval of the minutes from the April 7, 2014 Regular City Council meeting.**
4. **Consider and take action on approval of the minutes from the April 22, 2014 Special City Council meeting.**
5. **Consider and take action on approval of the March 2014 Financials.**
6. **Discuss, consider and take action on the appointment of Pamela Gregory to the Krum Public Library Advisory Board.**

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

The following votes were cast:

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

The motion carried unanimously.

H. REGULAR AGENDA ITEMS

7. **Hold a Public Hearing to consider a zoning request initiated by Vaughn Andrus and John Holley to rezone an 8.1± acre property to Planned Development – Commercial/Multi-Family (PD-COM/MF-1), said property being generally located on the southeast corner of F.M. 1173 and Masch Branch Road, in the City of Krum, Texas (Legal description: Lot 27a in the Little Brook Estates 2 Addition).**

Mayor Wilson opened the public hearing at 5:55 p.m. No one was present to speak for or against the zoning request. Mayor Wilson closed the public hearing at 5:56 p.m.

No action was necessary.

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 AN APPROXIMATELY 8.09-ACRE TRACT OF LAND DESCRIBED AS LOT 27A IN THE LITTLE BROOK ESTATES 2 ADDITION BY CHANGING THE ZONING DISTRICT TO PLANNED DEVELOPMENT – COMMERCIAL/MULTI-FAMILY (PD-COM/MF-1); REQUIRING COMPLIANCE WITH ALL OTHER APPLICABLE ORDINANCES; DIRECTING THE CITY SECRETARY TO CHANGE THE ZONING MAP ACCORDINGLY; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

City Planner Sherry Sefko made a presentation regarding the zoning request. Applicant Vaughn Andrus and Planner Rick Horn provided information regarding the request to the City Council and were present to answer any questions. Discussion was held by the City Council.

Councilmember Meine made a motion to approve an ORDINANCE OF THE CITY OF KRUM AMENDNG THE OFFICIAL ZONING MAP FOR THE CITY BY CHANGING THE ZONING ON AN APPROXIMATELY 8.09-ACRE TRACT OF LAND DESCRIBED AS LOT 27A IN THE LITTLE BROOK ESTATES 2 ADDITION BY CHANGING THE ZONING DISTRICT TO PLANNED DEVELOPMENT – COMMERCIAL/MULTI-FAMILY (PD-COM/MF-1); REQUIRING COMPLIANCE WITH ALL OTHER APPLICABLE ORDINANCES; DIRECTING THE CITY SECRETARY TO CHANGE THE ZONING MAP ACCORDINGLY; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE with a second by Councilmember Rodriguez.

The following votes were cast:

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

The motion carried unanimously.

Mayor Wilson called a recess at 6:03 p.m. The meeting was called back to order at 6:05 p.m.

9. **Discuss, consider and take action on a request for approval of a Short Form Plat, being a Replat of Lots 6-R and 7-R, Block A, in the Meadow View Phase II Addition, an approximately 0.76±-acre property generally located at the southwest corner of Valley View Lane and Park Lane in the City of Krum, Texas.**

Councilmember Paul Meine recused himself from the discussion and voting related to this item.

City Planner Sherry Sefko provided information to the City Council regarding the request. Discussion was held by the City Council.

Councilmember Rodriguez made a motion to approve a Short Form Plat, being a Replat of Lots 6-R and 7-R, Block A, in the Meadow View Phase II Addition, an approximately 0.76±-acre property generally located at the southwest corner of Valley View Lane and Park Lane in the City of Krum, Texas with a second by Councilmember Wilkes.

The following votes were cast:

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

The motion carried unanimously.

10. **Discuss, consider and take action on approval of a lease agreement between Tae's Icee Treats and the Krum Economic Development Corporation related to a portion of Lots 4 and 5, Block 11 O.T. Krum (217 W. McCart).**

City Planner Sherry Sefko made a presentation regarding the lease agreement and acceptable uses of the property. Chantae Davis was present to answer any questions. Discussion was held by the City Council.

Councilmember Meine made a motion to approve a lease agreement between Tae's Icee Treats and the Krum Economic Development Corporation related to a portion of Lots 4 and 5, Block 11 O.T. Krum (217 W. McCart) with a second by Councilmember Beall.

The following votes were cast:

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

The motion carried unanimously.

11. Discuss, consider and take action on City Employee Health Insurance and Benefit Renewal Options.

Terry Patton from Patton Insurance made a presentation regarding the options presented related to City employee health insurance and benefit renewal options. Extensive discussion was held by the City Council.

Councilmember Rodriguez made a motion to approve the City Employee Health Insurance Benefit Renewal Options (Plans G619 and G622 for health insurance and Guardian Vision to be paid by the City for the employee; Dental Select and all previous elective coverages to be paid by the employee) with a second by Councilmember Wilkes.

The following votes were cast:

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

The motion carried unanimously.

12. Discuss, consider and take action on a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, DENYING THE RATE INCREASE REQUESTED BY ATMOS ENERGY CORP., MID-TEX DIVISION UNDER THE COMPANY'S 2014 ANNUAL RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES PERTAINING TO REVIEW OF THE RRM; AUTHORIZING THE CITY'S PARTICIPATION WITH ATMOS CITIES STEERING COMMITTEE IN ANY APPEAL FILED AT THE RAILROAD COMMISSION OF TEXAS BY THE COMPANY; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES IN ANY SUCH APPEAL TO THE RAILROAD COMMISSION; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL.

Mayor Wilson provided information regarding the proposed resolution.

Councilmember Rodriguez made a motion to approve a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, DENYING THE RATE INCREASE REQUESTED BY ATMOS ENERGY CORP., MID-TEX DIVISION UNDER THE COMPANY'S 2014 ANNUAL RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES PERTAINING TO REVIEW OF THE RRM; AUTHORIZING THE CITY'S PARTICIPATION WITH ATMOS CITIES STEERING COMMITTEE IN ANY APPEAL FILED AT THE RAILROAD COMMISSION OF TEXAS BY THE COMPANY; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES IN ANY SUCH APPEAL TO THE RAILROAD COMMISSION; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL with a second by Councilmember Meine.

The following votes were cast:

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

The motion carried unanimously.

E. EXECUTIVE SESSION – None.

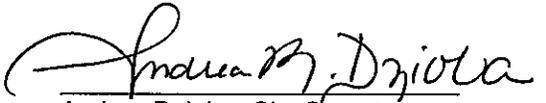
F. ADJOURN

There being no further business, Mayor Terri Wilson adjourned the meeting at 6:35 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