



# REGULAR CITY COUNCIL MEETING MONDAY, FEBRUARY 5, 2018 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 Rhonda Harrison, Austin Petersen, Toby L. Lawrence and Mike Strand. Also present were Fire Chief Ken Swindle; Police Chief Terry Hargis; Finance Director Shelly Neckar; Public Works Director Devon Kennedy; City Planner Tom Elgin; Assistant City Attorney Trey Sargent; 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 Councilmember Toby L. Lawrence.

### 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. Steven C. Stone, 6827 Freeman Road, Krum, discussed roadways in and around Krum and how he believes that busy intersections could be improved through the use of roundabouts.

### E. PRESENTATION / DISCUSSION

#### 1. Discussion – December 2017 Financials

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

#### 2. Discussion – Lift Station

Public Works Director Devon Kennedy and City Planner Tom Elgin advised that they have a meeting in March regarding a potential large development. Impact Fee information is being compiled and an item should be brought to the City Council in April.

### 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.

3. **Consider and take action on approval of the minutes from the November 6, 2017 Regular City Council meeting.**
5. **Consider and take action to adopt the Krum Police Department Annual Racial Profiling Report – 2017.**
6. **Consider and take action on acceptance of a grant in the amount of \$2,600.00 from Texas A&M Forest Service for training for the Krum Fire Department.**
8. **Consider and take action on approval of an alarm monitoring contract with Brooks Diversified Systems Company for the Fire Station and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**
9. **Consider and take action on approval of an alarm monitoring contract with Brooks Diversified Systems Company for the Public Works Facility and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**

It was requested by Councilmember Harrison that Consent Item No. 4 be considered separately. It was requested by Councilmember Strand that Consent Item No. 7 be considered separately.

Councilmember Harrison made a motion to approve consent agenda items numbers 3, 5, 6, 8, and 9 as presented with a second by Councilmember Diviney.

The following votes were cast:

Ayes: Diviney, Harrison, Petersen, Lawrence, Strand

Nays: None

Absent: None

The motion carried unanimously.

4. **Consider and take action on approval of the minutes from the December 4, 2017 Regular City Council meeting.**

Councilmember Harrison stated that the only correction she had was that she was not at the December 4, 2017 meeting. Councilmember Lawrence made a motion to approve consent agenda item numbers 4 with the correction with a second by Councilmember Diviney.

The following votes were cast:

Ayes: Diviney, Harrison, Petersen, Lawrence, Strand

Nays: None

Absent: None

The motion carried unanimously.

7. **Consider and take action on an Application for Business Incentive from Southern Crush, owner of 102 W. McCart.**

Councilmember Strand stated that they really need to have a joint meeting with the Krum Economic Development Corporation to pinpoint what they are targeting. He feels that you cannot turn down one application but not another.

Councilmember Strand made a motion to table this item with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

## **G. REGULAR AGENDA ITEMS**

*Items appear in the order in which they were considered but retain original numbers as listed on the posted agenda.*

### **10. Discuss, consider and take action on accepting the Audited Annual Financial Report for the fiscal year ended September 30, 2017.**

Chris Pruitt, CPA with Pattillo, Brown & Hill, L.L.P. made a presentation to the City Council related to the Audited Annual Financial Report for the fiscal year ended September 30, 2017.

Councilmember Lawrence made a motion to accept the Audited Annual Financial Report for the fiscal year ended September 30, 2017 with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

### **15. Discuss, consider and take action to approve the use of remaining bond funds for the Wastewater Treatment Plant be used to make yearly debt payments for that bond.**

Drew Satterwhite, General Manager of Greater Texoma Utility Authority (GTUA), gave a brief presentation to the City Council related to the use of the remaining bond funds for the Wastewater Treatment Plant yearly debt payments. Discussion was held by the City Council.

Councilmember Petersen made a motion to approve the use of remaining bond funds for the Wastewater Treatment Plant be used to make yearly debt payments for that bond with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

### **11. Discuss, consider and take action to order the General Election for Councilmember Place 1, Councilmember Place 3, and Councilmember Place 5 for the City of Krum, to be held on Saturday, May 5, 2018.**

Councilmember Lawrence made a motion to order the General Election for Councilmember Place 1, Councilmember Place 3, and Councilmember Place 5 for the City of Krum, to be held on Saturday, May 5, 2018 with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

**12. Discuss, consider and take action to approve a Joint Election Agreement with Denton County for Election Services and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**

Councilmember Lawrence made a motion to approve a Joint Election Agreement with Denton County for Election Services and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

**13. Discuss, consider and take action on a Residential Developer Agreement for the Hopkins Meadow Addition, Phase 1 and to authorize the Mayor to execute all agreement documents on behalf of the City of Krum.**

City Planner Tom Elgin introduced the proposed Residential Developer Agreement for the Hopkins Meadow Addition, Phase 1. A brief discussion was held by the City Council.

Councilmember Lawrence made a motion to approve a Residential Developer Agreement for the Hopkins Meadow Addition, Phase 1 and to authorize the Mayor to execute all agreement documents on behalf of the City of Krum with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

**14. Discuss, consider and take action on approval of an Agreement for Professional Services with Freese and Nichols, Inc. related to the Masch Branch Road Water Well project and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**

Public Works Director Devon Kennedy introduced the item related to an Agreement for Professional Services with Freese and Nichols, Inc. related to the Masch Branch Road Water Well project. Discussion was held by the City Council.

Councilmember Lawrence made a motion to approve an Agreement for Professional Services with Freese and Nichols, Inc. related to the Masch Branch Road Water Well project and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried.

16. **Discuss, consider and take action on approval of AN ORDINANCE OF THE CITY OF KRUM, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF KRUM, CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.06 APPOINTIVE OFFICES BY ADDING SECTION 1.06.012 CITY ADMINISTRATOR; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT; PROVIDING FOR A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

Discussion was held by the City Council.

Councilmember Strand made a motion to approve an ORDINANCE OF THE CITY OF KRUM, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF KRUM, CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.06 APPOINTIVE OFFICES BY ADDING SECTION 1.06.012 CITY ADMINISTRATOR; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT; PROVIDING FOR A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE with the removal of (d) Duties and Responsibilities with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

17. **Discuss, consider and take action on the proposal(s) of Strategic Government Resources and authorize the Mayor to execute all contract documents on behalf of the City of Krum.**

Discussion was held by the City Council.

Councilmember Strand made a motion to take no action on the proposal(s) of Strategic Government Resources with a second by Councilmember Harrison.

The following votes were cast:

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

The motion carried unanimously.

## H. EXECUTIVE SESSION

Mayor Harris announced that the City Council would convene in executive session at 8:27 p.m. pursuant to Section 551.072, 551.074, and 551.087(2).

18. **After determining a quorum is present, the City Council will convene in executive session pursuant to Texas Government Code, Section 551.072 – Deliberate the purchase, exchange, lease or value of real property and Section 551.074 – Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.**

- a. 803 E. McCart Street
- b. City Administrator

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 551.072 and 551.074.

**Adjourn into Open Meeting.**

The City Council reconvened into the open meeting at 9:17 p.m.

**Action on Executive Session Item 18a and 18b if necessary.**

Councilmember Strand made a motion to advertise for a part-time interim City Administrator with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried unanimously.

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**

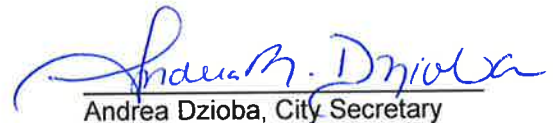
The City Council would like to have the following items on the next City Council agenda: outdoor warning sirens, and an executive session item related to leasing old fire station and 6th Street building and an item related to 803 E. McCart Street.

**J. ADJOURN**

The meeting adjourned at 9:20 p.m.

**APPROVED:**

  
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Ronald G. Harris, Jr., Mayor

  
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Andrea Dzioba, City Secretary