



REGULAR CITY COUNCIL MEETING MONDAY, MAY 7, 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 6:31 p.m.

B. QUORUM PRESENT

Those present were Mayor Ronald G. Harris, Jr., Mayor Pro Tem Justin Diviney, Councilmembers Austin Petersen, Rhonda Harrison, Toby L. Lawrence and Mike Strand. Also present were Police Chief Terry Hargis; Finance Director Shelly Neckar; Public Works Director Devon Kennedy; City Planner Tom Elgin; Library Director Donna Pierce; 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 Mike Strand.

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. Dianne Edmondson addressed the City Council and advised them that she was running for County Commissioner for Precinct 4 and requested their support in the May 22, 2018 Republican Primary Runoff.

E. PRESENTATION / DISCUSSION

1. Presentation – Children's Advocacy Center of Denton County – Troy Hamm

Mr. Troy Hamm made a presentation regarding the Children's Advocacy Center of Denton County and thanked the City of Krum for its continued support.

2. Presentation – Justin Diviney, City Council, recognition for years of service

Mayor Ronald G. Harris, Jr. presented a plaque to Justin Diviney and thanked him for his many years of service and dedication to the City of Krum.

3. Proclamation – "Motorcycle Safety and Awareness Month"

Mayor Ronald G. Harris, Jr. read the proclamation for "Motorcycle Safety and Awareness Month" and presented it to members from Denton Abate, Heathens MC, Iron Guardians, Honor Bound MC, and Local Riders.

4. Proclamation – "Police Week"

Mayor Ronald G. Harris, Jr. read the proclamation for "Police Week" and presented it to Police Chief Terry Hargis.

5. Proclamation – "Emergency Medical Services (EMS) Week"

Mayor Ronald G. Harris, Jr. read the proclamation and presented it to Firefighter-EMT Raquela Cornelius.

6. Mayor's Update

Mayor Ronald G. Harris, Jr. reminded the City Council about making sure that they return their budget questionnaires and about attending the public meeting with the Texas Department of Transportation. He also advised that included in their packets was project information from Freese and Nichols and that park surveys would be going out in utility bills to all of the residents.

7. Discussion – March 2018 Financials

Mayor Ronald G. Harris, Jr. opened the discussion item. Councilmember Harrison inquired about the Park expenditure and was advised that the Park General Fund account does help pay for our Park Maintenance Worker. Councilmember Strand asked why permit revenues were down and whether there was a way to tell exactly where we were short. City Planner Tom Elgin advised that there was no way to tell and it is also difficult to predict permit revenue as it is always a guess. Councilmember Strand inquired as to why there was a difference in the revenue between the Park Development Corporation and the Crime Control and Prevention District Funds. Finance Director Shelly Neckar advised that both areas are remitted separately by the State Comptroller's office and that there are different fees associated with the entities that are withheld. It does not end up being a completely equal split.

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.

8. Consider and take action on approval of the minutes from the January 8, 2018 Regular City Council meeting.

9. Consider and take action on approval of the minutes from the January 17, 2018 Special City Council meeting.

10. Consider and take action on approval of the minutes from the February 5, 2018 Regular City Council meeting.

11. Consider and take action on approval of the minutes from the March 5, 2018 Regular City Council meeting.

12. Consider and take action on approval of the resignation of William Stephens from the Krum Park Advisory Board and Krum Park Development Corporation.

13. Consider and take action on approval of an Interlocal Cooperation Agreement for Shared Governance Communications & Dispatch Services System (Police and Fire) with Denton County and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.

14. Consider and take action on approval of the SFY2018 ILL Lending Reimbursement Program Grant Agreement and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.
15. Consider and take action on acceptance of a grant in the amount of \$2,495.00 from the Tocker Foundation for the purchase of a book return for the Krum Public Library.
16. 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 2017-2018; 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.
17. 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, APPENDIX A FEE SCHEDULE, BY AMENDING ARTICLE A11.000 UTILITY FEES, SEC. A11.005 GARBAGE COLLECTION FEES, 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 Harrison made a motion to approve the consent agenda as presented 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

18. Conduct a public hearing and discuss, consider, and take action on AN ORDINANCE OF THE CITY OF KRUM, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES, REVISING AND REORDERING APPENDIX A: FEE SCHEDULE, ARTICLE A11.000: UTILITY FEES, REVISING SECTION A11.001: SEWER TAPPING CHARGES AND A.11.003: WATER TAPPING CHARGES AND CREATING A NEW SECTION: CITY OF DENTON PASS-THROUGH WASTEWATER IMPACT FEES; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING A PUBLICATION CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE. Applicant: City of Krum. Case: ORD-2018-03.

Mayor Ronald G. Harris, Jr. opened the public hearing at 7:02 p.m.

City Planner Tom Elgin made a presentation related to the proposed ordinance. A brief discussion was held by the City Council.

No comments were made by the public.

Mayor Harris closed the public hearing at 7:06 p.m.

Councilmember Strand made a motion to approve AN ORDINANCE OF THE CITY OF KRUM, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES, REVISING AND REORDERING APPENDIX A: FEE SCHEDULE, ARTICLE A11.000: UTILITY FEES, REVISING SECTION

A11.001: SEWER TAPPING CHARGES AND A.11.003: WATER TAPPING CHARGES AND CREATING A NEW SECTION: CITY OF DENTON PASS-THROUGH WASTEWATER IMPACT FEES; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING A PUBLICATION CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE with a second by Councilmember Lawrence.

The following votes were cast:

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

The motion carried unanimously.

- 19. Discuss, consider, and take action on a request for approval of a Preliminary Plat of Brisa Meadows Addition for an approximate 9.5 acre tract of land located generally at the south end of Second Street, approximately 130 feet south of Jagoe Street, in Denton County, Texas, and known as Tracts 16 and 17 of the R.L. Lankford Survey, Abstract No. 733 and Lots 13-15, Block B of the Crain-Jones Addition and Lots 11 & 12 of the Crain-Jones Addition Section 2 in the Charles Despallier Survey, Abstract No. 370 and in the R.L. Lankford Survey, Abstract No. 733, Denton County, Texas. The existing zoning is Single Family-6 (SF-6) and Light Industrial (LI). The preliminary plat proposes 24 residential lots and 1 nonresidential lot. Owner: Brisa Properties. Applicant: Greg Edwards, GEES, Inc. Case: PPT-2018-01.**

City Planner Tom Elgin provided information related to the request for approval of a Preliminary Plat of Brisa Meadows Addition. The property owner, Bradley Carrell, was available for any questions related to the Preliminary Plat. Discussion was held by the City Council.

Councilmember Strand made a motion to approve the Preliminary Plat of Brisa Meadows Addition subject to staff approval of the civil engineering plans, the entirety of the property being annexed into the City of Krum, and approval of applicable zoning for the proposed 24 SF-6 residential lots and one proposed LI non-residential lot with a second by Councilmembers Diviney and Harrison.

The following votes were cast:

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

The motion carried unanimously.

- 20. Discuss, consider, and take action on a request for approval of a Final Plat of Fowler Farms Addition for an approximate 85.6 acre tract of land located generally on the east side of Hopkins Road and north of FM 1173/McCart Street in Denton County, Texas, and known as Tract 21A, 22, 22A, 23, 26, 27, 28 of the John W. Gibbons Survey, Abstract No. 446, Denton County, Texas. The existing zoning is Planned Development-3-Single-Family Residential 7.5 (PD-3-SF-7.5). The final plat proposes 175 residential lots and six open space lots. Owners: Donna Ritz, Pamela Fowler Estes, and Freeman Family Living Trust. Applicant: Mark P. Allen, D.R. Horton. Case: FPT-2018-01.**

City Planner Tom Elgin introduced the request for approval of a Final Plat of Fowler Farms Addition. Discussion was held by the City Council.

Councilmember Strand made a motion to approve the Final Plat of Fowler Farms Addition as recommended by staff with a second by Councilmember Lawrence.

The following votes were cast:

Ayes: Diviney, Harrison, Petersen, Lawrence, Strand

Nays: None

Absent: None

The motion carried unanimously.

- 21. Discuss, consider and take action on approval of five (5) year contract with Axon Enterprise, Inc. for the purchase of five (5) new Taser units for the Krum Police Department and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**

Police Chief Terry Hargis introduced the request for approval of a five (5) year contract with Axon Enterprise, Inc. for the purchase of five (5) new Taser units. He explained that the first payment in the amount of \$1,068.00 would come from restricted funds for Training and Equipment and the remaining four payments of \$1,400.00 each could be drawn from the Crime Control and Prevention District Funds. Discussion was held by the City Council.

Councilmember Lawrence made a motion to approve a five (5) year contract with Axon Enterprise, Inc. for the purchase of five (5) new Taser units with a second by Councilmember Strand.

The following votes were cast:

Ayes: Diviney, Harrison, Petersen, Lawrence, Strand

Nays: None

Absent: None

The motion carried unanimously.

- 22. Discuss, consider and take action on approval of a topographic survey to be completed by KAZ Surveying, Inc. in the amount of \$4,500.00 related to the sewer line project near the Krum Public Library.**

Public Works Director Devon Kennedy explained to the City Council about the necessity for a topographic survey to be completed related to the proposed sewer line project near the Krum Public Library. Discussion was held by the City Council.

Councilmember Harrison made a motion to approve a topographic survey to be completed by KAZ Surveying, Inc. in the amount of \$4,500.00 related to the sewer line project near the Krum Public Library 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.

- 23. Discuss, consider and take action on Statements of Qualifications for City Engineering Services received in response to the Request for Qualifications.**

Discussion was held by the City Council. No action was taken.

- 24. Discuss, consider and take action on a City of Krum Outdoor Field Rental Agreement/Facility Use Agreement.**

Discussion was held by the City Council and thought that the Park Development Corporation should take a look at drafting an agreement. No action was taken.

H. EXECUTIVE SESSION

Mayor Harris announced that the City Council would convene in executive session at 8:10 p.m.

25. **After determining a quorum is present, the City Council will convene in executive session pursuant to Texas Government Code, Section 551.074 – Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.**

a. City Administrator

And pursuant to Texas Government Code, Section 551.087 – Deliberation Regarding Economic Development Negotiations.

- (1) **To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or**
- (2) **To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).**

After determining a quorum is present, the City Council will reconvene into regular session and take any action necessary pursuant to Texas Government Code Sections 551.074 and 551.087.

Adjourn into Open Meeting.

The City Council reconvened into the open meeting at 8:35 p.m.

Action on Executive Session Items 25a, 25(1), and 25(2) if necessary.

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.

No action was taken.

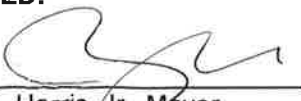
J. FUTURE AGENDA ITEMS

The following future agenda items were requested: East Side Park sign removal; Mayor Pro Tem; TxDOT meeting recap; and Executive Session related to 803 East McCart Street.

K. ADJOURN

The meeting adjourned at 8:39 p.m.

APPROVED:



Ronald G. Harris, Jr., Mayor



Andrea Dzioba, City Secretary