



REGULAR CITY COUNCIL MEETING MONDAY, AUGUST 7, 2017 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 6:34 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 Fire Chief Ken Swindle; Police Chief Terry Hargis; Public Works Director Devon Kennedy; 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 Austin Petersen.

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 spoke under the Citizen's Agenda.

E. PRESENTATION / DISCUSSION

1. Mayor's Update

Mayor Ronald G. Harris, Jr. advised that work has continued on Radecke. Fire Chief Ken Swindle also provided the City Council with an update related to their State EMS assistance in Rockport, Houston, and Beaumont.

2. Discussion – June 2017 Financials

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

3. Discussion – City Administrator/City Manager position

Mayor Ronald G. Harris, Jr. advised that he has a meeting next Wednesday and that this item will be discussed further at the October meeting after he has received more information.

4. Discussion – Sirens/Outdoor Warning Devices in New Subdivisions

Fire Chief Ken Swindle advised the City Council that the approximate cost of a new siren/outdoor warning device was \$25,000.00 for a siren with a concrete pole and could cover an approximate diameter of 6,000 square feet. IT would cost approximately \$8,000.00 to \$12,000.00 to move the current one to an alternate location. Chief Swindle stressed the importance of Code Red for emergency notifications as well as advised that the sirens are supposed to let you know if you are outside that you need to take shelter.

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.

- 5. Consider and take action on approval of the resignation of Paul Meine from the Krum Economic Development Corporation.**
- 6. Consider and take action on a RESOLUTION OF THE CITY OF KRUM, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR "COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.**
- 7. Consider and take action on approval of an Interlocal Cooperation Agreement for Tax Collection with Denton County and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**
- 8. Consider and take action to approve an Interlocal Cooperation Agreement with Denton County for Public Safety Application Support and Maintenance for the Krum Police Department and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**
- 9. Consider and take action to approve an Interlocal Cooperation Agreement with Denton County for Public Safety Application Support and Maintenance for the Krum Fire Department and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**
- 10. Consider and take action on a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS, APPROVING THE "DRAFT" Denco AREA 9-1-1 DISTRICT FISCAL YEAR 2018 FINANCIAL PLAN, PURSUANT TO THE TEXAS HEALTH AND SAFETY CODE, CHAPTER 772, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.**

Councilmember Diviney 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

- 11. Discuss, consider and take action on a sign ordinance variance for Krum Veterinarian Hospital located at 5000 Masch Branch Road. Owner: Dr. Jennifer Lee. Applicant: Josh Parsons, Willow Creek Signs. Case: SNV-2017-01.**

City Planner Tom Elgin introduced the request of a sign ordinance variance for Krum Veterinarian Hospital. Dr. Jennifer Lee and Mr. Josh Parsons, Willow Creek Signs, were available to answer any questions. Discussion was held by the City Council.

Councilmember Diviney made a motion to approve a sign ordinance variance that would allow (1) the sign to exceed the allowable monument sign area and (2) to allow a portion of the sign to be an electronic message center for Krum Veterinarian Hospital located at 5000 Masch Branch Road 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.

- 12. Discuss, consider and take action on 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.**

A brief 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, 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 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.

- 13. Hold a Public Hearing on the proposed budget of the Krum Crime Control and Prevention District for Fiscal Year 2017-2018.**

Mayor Ronald G. Harris, Jr. opened the public hearing at 7:45 p.m.

Police Chief Terry Hargis was available to answer any questions and spoke briefly about the proposed budget.

No one spoke during the public hearing.

Mayor Ronald G. Harris, Jr. closed the public hearing at 7:47 p.m.

14. Discuss, consider and take action on approval of the proposed budget of the Krum Crime Control and Prevention District for Fiscal Year 2017-2018.

Councilmember Lawrence made a motion to reject the proposed budget of the Krum Crime Control and Prevention District for Fiscal Year 2017-2018 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.

15. Consider accepting the submission of the effective tax rate calculation of \$0.597677 per \$100 assessed valuation and a rollback tax rate of \$0.632093 per \$100 assessed valuation for the fiscal year beginning October 1, 2017 and ending September 30, 2018.

Councilmember Strand made a motion to accept the submission of the effective tax rate of \$0.597677 per \$100 assessed valuation and a rollback tax rate of \$0.632093 per \$100 assessed valuation for the fiscal year beginning October 1, 2017 and ending September 30, 2018 with a second by Councilmember Harrison.

A record vote was taken as follows:

Record Vote: <i>Council Member</i>	<u>For</u>	<u>Against</u>
Justin Diviney, Mayor Pro Tem	√	
Rhonda Harrison	√	
Austin Petersen	√	
Toby L. Lawrence	√	
Mike Strand	√	
Abstain: None		
Absent: None		

The following votes were cast:

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

The motion carried unanimously.

16. Consider approval of a resolution of the City Council of the City of Krum, Texas placing a proposal on the September 18, 2017 City Council Public Meeting Agenda to adopt a 2017 tax rate that will exceed the lower of the rollback rate or effective tax rate; calling two public hearings to be held on September 6, 2017, and September 12, 2017; and requiring publication of a *Notice of 2017 Tax Year Proposed Property Tax Rate* in accordance with the law; and providing an effective date.

Councilmember Lawrence made a motion to approve a resolution to place a proposal on the September 18, 2017 City Council Public Meeting Agenda to consider a FY 2017-2018 tax rate of \$0.647489 per one hundred dollars (\$100) of valuation and to set the public hearings on the proposal to increase total tax revenues for Wednesday, September 6th at 6:30 p.m. and Tuesday, September 12th at 6:30 p.m., with each meeting taking place at Krum City Hall at 146 W. McCart, Krum, Texas with a second by Councilmember Harrison.

A record vote was taken as follows:

Record Vote: <i>Council Member</i>	<u>For</u>	<u>Against</u>
Justin Diviney, Mayor Pro Tem	√	
Rhonda Harrison	√	
Austin Petersen	√	
Toby L. Lawrence	√	
Mike Strand	√	
Abstain: None		
Absent: None		

The following votes were cast:

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

The motion carried unanimously.

17. Consider accepting the submission of the certified collection rate of 100% for the fiscal year beginning October 1, 2017 and ending September 30, 2018.

Councilmember Strand made a motion to accept the submission of the certified collection rate of 100 percent for the fiscal year beginning October 1, 2017 and ending September 30, 2018 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.

18. Discuss, consider and take action on approval of the purchase of a 1-ton service vehicle for the Public Works Department.

Public Works Director Devon Kennedy made a presentation to the City Council related to the recommendation of the purchase of a 1-ton service vehicle for the Public Works Department. The original recommended vehicle for purchase was a 2017 Ram 3500 for \$47,571.00 but that vehicle is no longer available. He is now recommending the purchase of a 2017 Dodge 3500 4 WD gooseneck with two (2) toolboxes for \$49,170.32.

Discussion was held by the City Council.

Councilmember Strand made a motion to approve the purchase of a 2017 Dodge 3500 4WD gooseneck with two (2) toolboxes for \$49,170.32 with a second by Councilmember Petersen.

The following votes were cast:

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

The motion carried.

- 19. Discuss, consider and take action on approval of an expenditure in an amount not to exceed \$1,000.00 by the Park Development Corporation for an engineering stamp on the plans for the proposed restroom facilities for the West Side Park.**

Public Works Director Devon Kennedy made a presentation to the City Council related to the expenditure being requested in an amount not to exceed \$1,000.00 by the Park Development Corporation for an engineering stamp on the plans for the proposed restroom facilities for the West Side Park. Discussion was held by the City Council.

Councilmember Lawrence made a motion to approve expenditure in an amount not to exceed \$1,000.00 by the Park Development Corporation for an engineering stamp on the plans for the proposed restroom facilities for the West Side Park 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.

- 20. Discuss, consider and take action on an ORDINANCE OF THE CITY COUNCIL OF KRUM, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES, CHAPTER 1 GENERAL PROVISIONS; ARTICLE 1.12: PARKS AND RECREATION, DIVISION 2. PARK BOARD; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT TO THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

Councilmember Strand made a motion to approve an ORDINANCE OF THE CITY COUNCIL OF KRUM, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES, CHAPTER 1 GENERAL PROVISIONS; ARTICLE 1.12: PARKS AND RECREATION, DIVISION 2. PARK BOARD; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT TO THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE 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.

21. **Discuss, consider and take action on an ORDINANCE OF THE CITY OF KRUM, TEXAS, REPLACING ORDINANCE #0015-08-2006, PROVIDING FOR THE ASSESSMENT OF THE COLLECTION OF FEES FOR SERVICES AND ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES PROVIDED BY THE KRUM FIRE DEPARTMENT; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; AUTHORIZING A FEE SCHEDULE; PROVIDING FOR ENFORCEMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR AN OPEN MEETINGS CLAUSE.**

Fire Chief Ken Swindle made a presentation to the City Council related to the proposed ordinance and fees included with same. Discussion was held by the City Council.

Councilmember Strand made a motion to approve an ORDINANCE OF THE CITY OF KRUM, TEXAS, REPLACING ORDINANCE #0015-08-2006, PROVIDING FOR THE ASSESSMENT OF THE COLLECTION OF FEES FOR SERVICES AND ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES PROVIDED BY THE KRUM FIRE DEPARTMENT; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; AUTHORIZING A FEE SCHEDULE; PROVIDING FOR ENFORCEMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR AN OPEN MEETINGS CLAUSE 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.

22. **Discuss, consider and take action to approve a contract for animal control services and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**

Police Chief Terry Hargis made a presentation to the City Council related to the proposed contract for animal control services. Mr. Steve Bigelow from All American Dogs was in attendance to respond to any questions.

Councilmember Strand made a motion to approve a contract for animal control services with All American Dogs 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.

23. **Discuss, consider and take action on approval of a lease agreement between Lynda Joy Fowler aka Joy Fowler Johns and the City of Krum related to a part of a tract of land described in a deed to Lynda Joy Fowler (Instrument number 2011-38352, Real Property Records, Denton County, Texas).**

City Secretary Andrea Dzioba advised the City Council that this lease agreement is related to permission from the landowner to place the monument sign on their property.

Councilmember Strand made a motion to approve a lease agreement between Lynda Joy Fowler aka Joy Fowler Johns and the City of Krum related to a part of a tract of land described in a deed to Lynda Joy Fowler (Instrument number 2011-38352, Real Property Records, Denton County, Texas) 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.

24. Discuss, consider and take action on Department Measures and Employee Evaluations.

Discussion was held by the City Council related to Department Head evaluations and the possible manner in which they could be done. The City Council discussed the necessity for job descriptions, possible changes to the personnel manual, and when each year evaluations should be completed. No action was taken.

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. FUTURE AGENDA ITEMS

The City Council would like to discuss storm sirens (outside warning devices), evaluations, and what projects have been approved and completed by the Park Development Corporation.

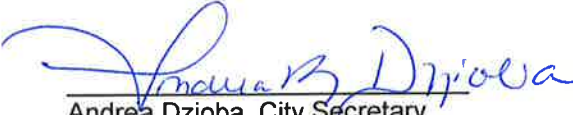
J. ADJOURN

The meeting adjourned at 8:45 p.m.

APPROVED:



Ronald G. Harris, Jr., Mayor



Andrea Dzioba, City Secretary