



REGULAR CITY COUNCIL MEETING MONDAY, NOVEMBER 4, 2019 at 6:30 P.M.

KRUM CITY HALL – 146 W. McCART STREET

Ronald G. Harris, Jr., Mayor
Austin Petersen, Councilmember - PI.1
Melynda Rivers, Councilmember - PI.3
Trey Sargent, Assistant City Attorney

Rhonda Harrison, Mayor Pro Tem - PI.2
Richard Troth, 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 6:30 p.m.

B. QUORUM PRESENT

Those present were Mayor Ronald G. Harris, Jr., Mayor Pro Tem Rhonda Harrison, Councilmembers Mike Strand, Melynda Rivers, Austin Petersen and Richard Troth. Also present were Police Chief Terry Hargis; Fire Chief Ken Swindle; Finance Director Karen Hollingsworth; Library Director Donna Pierce; Public Works Director Devon Kennedy; Development Services Director 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 Mayor Pro Tem Rhonda Harrison.

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. Michael Zampino, 3448 Rebecca Lane, invited everyone to attend the DR Horton Grand Opening at Fowler Farms on Saturday.

Ms. Alice Carr, 10 West Sharon, addressed the City Council about a complaint that she made about Tom Elgin. She advised that she attempted to communicate and "go through the chain of command" but had not received a response. She informed them that she has a problem with seeing through the trees at the railroad tracks.

Mr. Scott Sackett, 9300 South Hickory Road, informed the City Council that he has helped form a Krum Merchants Group. The downtown merchants feel that it is unacceptable to have to park behind the businesses and are concerned about parking in the downtown area. They would like to be involved in contact with the Texas Department of Transportation related to matters involving the downtown Krum area. Their goal is to be supportive and work with the City Council,

E. PRESENTATION / DISCUSSION

1. Discussion – September 2019 Financials

Finance Director Karen Hollingsworth was available to answer any questions that the City Council may have. The City Council did not have any questions.

2. Discussion – Update – Freese and Nichols, LLC

Mayor Harris advised that Freese and Nichols were continuing to work on the City's projects. Mayor Pro Tem Harrison inquired about the CCN and was informed that it was being worked on.

3. Discussion and direction regarding debt issuance – Hilltop Securities

Finance Director Karen Hollingsworth provided information related to what might be able to be accomplished through the debt issuance. Marti Shew, Director from Hilltop Securities, advised the City Council of what some of their options were including length of repayment and potential interest rates. She also stated that it was expected that equipment would be paid for with tax notes with a maximum repayment term of 7 years and that projects would be funded via the certificates of obligation over a longer term. Extensive discussion was held between the City Council and staff. The City Council advised that they would like to digest the information and discuss again at the next City Council meeting.

4. Discussion –Update – City of Krum entry/gateway sign

Mayor Harris advised that they have not determined a place to install the sign. He will continue to try to determine a place to put it.

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 minutes from the June 3, 2019 Regular City Council meeting.

6. Consider and take action on approval of the minutes from the July 1, 2019 Regular City Council meeting.

7. Consider and take action on approval of the minutes from the July 22, 2019 Special City Council meeting and Work Session.

9. Consider and take action on AN ORDINANCE OF THE CITY OF KRUM, TEXAS, ADOPTING AMENDMENTS TO THE BUDGET OF THE CITY OF KRUM, TEXAS FOR THE FISCAL YEAR 2018-2019; 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. (Administration)

10. Consider and take action on AN ORDINANCE OF THE CITY OF KRUM, TEXAS, ADOPTING AMENDMENTS TO THE BUDGET OF THE CITY OF KRUM, TEXAS FOR THE FISCAL YEAR 2019-2020; 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. (Police)

11. Consider and take action on AN ORDINANCE OF THE CITY OF KRUM, TEXAS, ADOPTING AMENDMENTS TO THE BUDGET OF THE CITY OF KRUM, TEXAS FOR THE FISCAL YEAR 2019-2020; 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. (Administration)

12. **Consider and take action on AN ORDINANCE OF THE CITY OF KRUM, TEXAS, ADOPTING AMENDMENTS TO THE BUDGET OF THE CITY OF KRUM, TEXAS FOR THE FISCAL YEAR 2019-2020; 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. (Library)**
13. **Consider and take action on approval of an Interlocal Cooperation Agreement with Denton County for Fire Protection Services 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 an Interlocal Cooperation Agreement with Denton County for Ambulance Service and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**
15. **Consider and take action on approval of an Agreement for Continuing Disclosure Services by and Between the City of Krum and HTS Continuing Disclosure Services and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**
16. **Consider and take action on approval of a Master Services and Purchasing Agreement with Axon Enterprise, Inc. for police equipment and video storage services and authorize the Mayor to execute all agreement documents regarding same on behalf of the City of Krum.**
17. **Consider and take action on acceptance of a grant in the amount of \$10,237.00 from the Ladd and Katherine Hancher Library Foundation for updating children's computers for the Krum Public Library.**
18. **Consider and take action on acceptance of a 2009 32 ft. enclosed gooseneck trailer cargo hauler from the North Central Texas Trauma Regional Advisory Council (NCTTRAC) for the Krum Fire Department.**

Councilmember Strand requested the agenda item #8 be considered separately.

Councilmember Strand made a motion to approve consent agenda items #5-7 and #9-18 with a second by Mayor Pro Tem Harrison.

The following votes were cast:

Ayes:	Strand, Harrison, Rivers, Troth, Petersen
Nays:	None
Absent:	None

The motion carried unanimously.

8. **Consider and take action on approval of a listing of city surplus property to be sold by online auction by Rene Bates Auctioneers, Inc. and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.**

Councilmember Strand advised that he wanted to abstain from this item as his company may purchase items from the auction.

Councilmember Rivers made a motion to approve a listing of city surplus property to be sold by online auction by Rene Bates Auctioneers, Inc. and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum with a second by Mayor Pro Tem Harrison.

The following votes were cast:
Ayes: Harrison, Rivers, Troth, Petersen
Nays: None
Absent: None
Abstain: Strand

The motion carried.

G. REGULAR AGENDA ITEMS

19. **Discuss, consider and take action on approval of a commercial site plan request for 1173 Office Park Addition, Lots 1 & 2, Block 1, on a 1.571-acre tract of land situated in the John W. Gibbons Survey, Abstract No. 446, Tract 21C, Denton County, Texas, and located on the north side of FM 1173/McCart Street approximately 350 feet east of Camden Creek Road, Krum, TX. The current zoning is Commercial (C). The site plan proposes one professional office building on one lot and one lot for future development. Owner: Barthold Estates. Applicant: Jason Kilpatrick, Ridinger Associates, Inc. Case: SPN-2019-01.**

Development Services Director Tom Elgin provided background information to the City Council related to the commercial site plan request for 1173 Office Park Addition, Lots 1 & 2, Block 1. Jason Kilpatrick of Ridinger Associates, Inc. was available for any questions.

Mayor Pro Tem Harrison made a motion to approve a commercial site plan request for 1173 Office Park Addition, Lots 1 & 2, Block 1, on a 1.571-acre tract of land situated in the John W. Gibbons Survey, Abstract No. 446, Tract 21C, Denton County, Texas, and located on the north side of FM 1173/McCart Street approximately 350 feet east of Camden Creek Road, Krum, TX with a second by Councilmember Petersen.

The following votes were cast:
Ayes: Strand, Harrison, Rivers, Troth, Petersen
Nays: None
Absent: None

The motion carried unanimously.

20. **Discuss, consider and take action on approval of a minor plat for 1173 Office Park Addition, Lots 1 & 2, Block 1, on a 1.571-acre tract of land situated in the John W. Gibbons Survey, Abstract No. 446, Tract 21C, Denton County, Texas, and located on the north side of FM 1173/McCart Street approximately 350 feet east of Camden Creek Road, Krum, TX. The current zoning is Commercial (C). The minor plat proposes to create two commercial lots from one tract of land. Owner: Barthold Estates. Applicant: Jason Kilpatrick, Ridinger Associates, Inc. Case: MPT-2019-01.**

Councilmember Strand made a motion to approve a minor plat for 1173 Office Park Addition, Lots 1 & 2, Block 1, on a 1.571-acre tract of land situated in the John W. Gibbons Survey, Abstract No. 446, Tract 21C, Denton County, Texas, and located on the north side of FM 1173/McCart Street approximately 350 feet east of Camden Creek Road, Krum, TX with a second by Mayor Pro Tem Harrison.

The following votes were cast:
Ayes: Strand, Harrison, Rivers, Troth, Petersen
Nays: None
Absent: None

The motion carried unanimously.

21. **Discuss, consider and take action on approval of AN ORDINANCE OF THE CITY OF KRUM, TEXAS, ADOPTING THE ANNEXATION OF CERTAIN TERRITORY CONTINGUOUS TO AND ADJOINING THE CITY OF KRUM, TEXAS, TO WIT: AN APPROXIMATE 70.070-ACRE TRACT OF LAND SITUATED IN THE JOHN W. GIBBONS SURVEY, ABSTRACT NO. 645, DENTON COUNTY, TEXAS, COMMONLY KNOWN AS TRACT 13 OF SAID SURVEY, BEING MORE PARTICULARLY DEPICTED IN EXHIBIT "A" AND DESCRIBED IN THE ATTACHED EXHIBIT "B", ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR AMENDING OF THE OFFICIAL CITY MAP; REQUIRING THE FILING OF THIS ORDINANCE WITH THE DENTON COUNTY CLERK; PRESCRIBING FOR EFFECT ON TERRITORY, GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY OF KRUM, TEXAS; PROVIDING FOR SAVINGS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE. Owner: The Chamberlain Trust. Applicant: City of Krum. Case: SUP-2019-01.**

Development Services Director Tom Elgin provided an introduction to the annexation of an approximate 70.070-acre tract of land.

Councilmember Strand made a motion to approve an ORDINANCE OF THE CITY OF KRUM, TEXAS, ADOPTING THE ANNEXATION OF CERTAIN TERRITORY CONTINGUOUS TO AND ADJOINING THE CITY OF KRUM, TEXAS, TO WIT: AN APPROXIMATE 70.070-ACRE TRACT OF LAND SITUATED IN THE JOHN W. GIBBONS SURVEY, ABSTRACT NO. 645, DENTON COUNTY, TEXAS, COMMONLY KNOWN AS TRACT 13 OF SAID SURVEY, BEING MORE PARTICULARLY DEPICTED IN EXHIBIT "A" AND DESCRIBED IN THE ATTACHED EXHIBIT "B", ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR AMENDING OF THE OFFICIAL CITY MAP; REQUIRING THE FILING OF THIS ORDINANCE WITH THE DENTON COUNTY CLERK; PRESCRIBING FOR EFFECT ON TERRITORY, GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY OF KRUM, TEXAS; PROVIDING FOR SAVINGS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE with a second by Councilmember Petersen.

The following votes were cast:

Ayes: Strand, Harrison, Rivers, Troth, Petersen
Nays: None
Absent: None

The motion carried unanimously.

22. **Hold a public hearing and discuss, consider and take action on approval of AN ORDINANCE OF THE CITY OF KRUM, TEXAS AMENDING THE OFFICIAL ZONING MAP FOR THE CITY BY ESTABLISHING INITIAL ZONING FOR A RECENTLY ANNEXED TRACT OF LAND TO WIT: AN APPROXIMATE 70.070-ACRE TRACT OF LAND SITUATED IN THE JOHN W. GIBBONS SURVEY, ABSTRACT NO. 645, DENTON COUNTY, TEXAS, COMMONLY KNOWN AS TRACT 13 OF SAID SURVEY, BEING MORE PARTICULARLY DEPICTED IN EXHIBIT "A" AND DESCRIBED IN THE ATTACHED EXHIBIT "B", ATTACHED HERETO AND INCORPORATED HEREIN; DESIGNATING THE ZONING DISTRICT FOR SAID PROPERTY AS PLANNED DEVELOPMENT-6-SINGLE FAMILY RESIDENTIAL-7.5 (PD-6-SF-7.5); PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING FOR DEVELOPMENT STANDARDS; PROVIDING FOR ZONING REGULATIONS;**

REQUIRING COMPLIANCE WITH ALL OTHER APPLICABLE ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE. Owner: Estate of Arden Melvin Erickson, Jr. Applicant: Mark P. Allen, Clairemont Acquisitions. Case: ZON-2019-02.

Development Services Director Tom Elgin gave a presentation to the City Council related to the request for initial zoning for a recently annexed tract of land and advised that the Planning & Zoning Commission considered the application and recommended denial of the PD-6-7.5 zoning request as submitted by a vote of 4-1.

Mayor Harris opened the public hearing at 7:52 p.m.

Discussion was held by the City Council.

Applicant Mark P. Allen, Clairemont Acquisitions, was available for questions and addressed concerns of the City Council.

Mayor Harris closed the public hearing at 7:57 p.m.

Councilmember Strand made a motion to approve an ORDINANCE OF THE CITY OF KRUM, TEXAS AMENDING THE OFFICIAL ZONING MAP FOR THE CITY BY ESTABLISHING INITIAL ZONING FOR A RECENTLY ANNEXED TRACT OF LAND TO WIT: AN APPROXIMATE 70.070-ACRE TRACT OF LAND SITUATED IN THE JOHN W. GIBBONS SURVEY, ABSTRACT NO. 645, DENTON COUNTY, TEXAS, COMMONLY KNOWN AS TRACT 13 OF SAID SURVEY, BEING MORE PARTICULARLY DEPICTED IN EXHIBIT "A" AND DESCRIBED IN THE ATTACHED EXHIBIT "B", ATTACHED HERETO AND INCORPORATED HEREIN; DESIGNATING THE ZONING DISTRICT FOR SAID PROPERTY AS PLANNED DEVELOPMENT-6-SINGLE FAMILY RESIDENTIAL-7.5 (PD-6-SF-7.5); PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING FOR DEVELOPMENT STANDARDS; PROVIDING FOR ZONING REGULATIONS; REQUIRING COMPLIANCE WITH ALL OTHER APPLICABLE ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE with a second by Councilmember Rivers.

The following votes were cast:

Ayes: Strand, Harrison, Rivers, Troth, Petersen
Nays: None
Absent: None

The motion carried unanimously.

23. Discuss, consider and take action to approve the purchase and implementation of SCADA for the water system and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum.

Public Works Director Devon Kennedy provided information related to the requested purchase and implementation of SCADA for the water system.

Councilmember Strand made a motion to approve the purchase and implementation of SCADA for the water system and authorize the Mayor to execute all contract documents regarding same on behalf of the City of Krum with a second by Councilmembers Petersen and Troth.

The following votes were cast:

Ayes: Strand, Harrison, Rivers, Troth, Petersen
Nays: None
Absent: None

The motion carried unanimously.

- 24. Discuss, consider and take action 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 1.04 CITY COUNCIL BY REPEALING SECTION 1.04.011 CITIZENS AGENDA IN ITS ENTIRETY AND ADDING A NEW SECTION 1.04.001 SPEAKING AT CITY COUNCIL MEETINGS; 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 PENALTY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

City Secretary Andrea Dzioba advised that the proposed ordinance was being provided as per their direction due to House Bill 2840 that was effective on September 1, 2019. 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, CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.04 CITY COUNCIL BY REPEALING SECTION 1.04.011 CITIZENS AGENDA IN ITS ENTIRETY AND ADDING A NEW SECTION 1.04.001 SPEAKING AT CITY COUNCIL MEETINGS; 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 PENALTY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE with a change to (b) being "until posted start time of meeting" with a second by Mayor Pro Tem Harrison.

The following votes were cast:

Ayes: Strand, Harrison, Rivers, Troth, Petersen
Nays: None
Absent: None

The motion carried unanimously.

H. EXECUTIVE SESSION

- 25. After determining a quorum is present, the City Council will convene in executive session pursuant to Texas Government Code, Section 551.072, Deliberation regarding Real Property, to deliberate the purchase, exchange, lease or value of real property.**

Mayor Ronald G. Harris, Jr. announced that the City Council would convene in executive session at 8:11 p.m.

- a. Approximately 0.452 acres of land out of Abstract No. SA0370A, Denton County, Texas.**

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.

Adjourn into Open Meeting.

The City Council reconvened into the open meeting at 8:28 p.m.

Action on Executive Session Item 25a if necessary.

Councilmember Strand made a motion to obtain an appraisal on the property with a second by Mayor Pro Tem Harrison and Councilmember Troth.

The following votes were cast:

Ayes: Strand, Harrison, Rivers, Troth, Petersen

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 requested that items related to the following be on the next agenda: parking downtown, debt issuance, early warning sirens/grant for same, and logo.

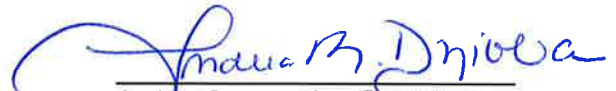
J. ADJOURN

The meeting adjourned at 8:34 p.m.

APPROVED:



Ronald G. Harris, Jr., Mayor



Andrea Dzioba, City Secretary