

Minutes

The City of Princeton

Regular City Council Meeting of April 9, 2012

The City Council of the City of Princeton, Texas, met in regular session in the Council Chamber of City Hall on April 9, 2012 at 7:00 p.m.

The following Councilmembers were present: Mayor Ken Bowers, Mayor Pro Tempore Steven Deffibaugh, Councilmember Bill Glass and Councilmember Bruce Beauchamp. The following Staff Members were present: City Manager Derek Borg, Asst. City Manager/City Secretary Lesia Thornhill, Deputy City Secretary/Grant Coordinator Tabatha Monk and Chief of Police James Waters.

The following Councilmember was absent: Councilmember J.M. Caldwell, Sr.

Mayor **Bowers** called the **City Council Meeting to order at 7:00 PM.**

Mayor **Bowers** called roll, present were Mayor **Bowers**, Councilmembers **Bill Glass**, **Bruce Beauchamp** and Mayor Pro Tempore **Steven Deffibaugh**. Absent was Councilmember **J.M. Caldwell**.

Mayor **Bowers** asked Mayor Pro Tempore **Deffibaugh** to lead the Council and audience in the invocation.

Mayor **Bowers** then asked Councilmember **Beauchamp** to lead the audience in the **Pledge of Allegiance**.

Mayor **Bowers** then announced **Citizen Appearance**. Rick Wheeler spoke.

Mayor **Bowers** then announced the Consent Agenda: All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so request, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. 1. Discussion and

possible action to approve the minutes of the March 12, 2012 regular meeting. 2. Discussion and possible action to approve an Ordinance for a franchise agreement between the City of Princeton and Atmos Energy. 3. Discussion and possible action to approve the re-appointment of Pat Nicklen to the NTMWD Board as a Director. 4. Discussion and possible action to approve an Interlocal Agreement between the City of Princeton and Collin County for jail services. Councilmember **Deffibaugh made a motion to approve the Consent Agenda.** Councilmember **Glass seconded the motion.** **The motion carried unanimously.**

Mayor **Bowers** then announced the first item under the Regular Agenda: **(2012- 035)** “Discussion and possible action to accept the resignation of Clinton Lowrance from the Princeton Economic Development Corporation”. Councilmember **Beauchamp made a motion to accept Mr. Lowrance’s resignation.** Mayor Pro Tempore **Deffibaugh seconded the motion.** **The motion carried unanimously.**

Mayor **Bowers** then announced the second item under the Regular Agenda: **(2012- 036)** “Discussion and possible action to appoint Jim Staley to fill the vacancy left by Clinton Lowrance to the Economic Development Corporation”. Councilmember **Beauchamp made a motion to approve the appointment of Jim Staley.** Councilmember **Glass seconded the motion.** **The motion carried unanimously.**

Mayor **Bowers** then announced the third item on the Regular Agenda **(2012-037)** “Second public hearing regarding a request for a zoning of property to Commercial 1 “C1” with Specific Use Permit “SUP”, being a tract of land situated in the Hardin Wright Survey, Abstract No. 957, City of Princeton, Colin County, Texas and being a certain

1.9975 acre tract of land, said tract being described in special warranty deed to E-Z Mart Stores, Inc., filed for record in Clerk's certificate No. 20100723000755790, of the Collin County Land Records, and being more particularly described as follows: 1.9972 acres of land".

Mayor **Bowers** opened the public hearing at 7:06 p.m.

No one spoke for or against this item.

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

Mayor **Bowers** then announced the fourth item under the Regular Agenda: **(2012-038)** "Second public hearing regarding a request received from Bob Hubbard and Mike Ingram, E-Z Mart Stores, Inc., P.O. Box 1426, Texarkana, Texas for a Specific Use Permit to allow for Convenience Store with Fueling Pumps at 725 W. Princeton Drive (Hardin Wright Survey, Abstract 957, Princeton, Texas as required by the City of Princeton's Zoning Ordinance (Ordinance No. 2009-06-09)".

Mayor **Bowers** opened the public hearing at 7:06 p.m.

No one spoke for or against this item.

Mayor **Bowers** closed the public hearing at 7:07 p.m.

Mayor **Bowers** then announced the fifth item under the Regular Agenda: **(2012-039)** "Discussion and possible action regarding an Ordinance, No. 2012-04-09, amending the zoning ordinance, by changing the zoning of approximately 2.389 acres of land in the Hardin Wright Survey, Abstract 957, Princeton, Collin County, Texas, located at 725 W. Princeton Drive, Princeton, Texas currently zoned Agriculture "A" and being re-zoned Commercial "C1". Mayor Pro Tempore **Deffibaugh** made a motion to approve **Ordinance 2012-04-09**. Councilmember **Glass** seconded the motion. The motion

carried unanimously.

Mayor **Bowers** then announced the sixth item under the Regular Agenda: **(2012-040)** “Discussion and possible action regarding an Ordinance, No. 2012-04-09-01, regarding a request for a Specific Use Permit to allow for Convenience Store with Fueling Pumps at 725 W. Princeton Drive (Hardin Wright Survey, Abstract 957, Princeton, Texas as required by the City of Princeton’s Zoning Ordinance, Ordinance No. 2009-06-09”. Councilmember **Beauchamp made a motion to approve.** Mayor Pro Tempore **Deffibaugh seconded the motion.** The **motion carried unanimously.**

Mayor **Bowers** then announced the seventh item under the Regular Agenda: **(2012-041)** “Discussion and possible action regarding a final plat for Original Donation Lots 13-14, Block 2 and Lots 15-18, Block 2, Southwest corner of 4th Street and McKinney”. City Manager, Derek Borg, explained this was the land swap between the city and Princeton Independent School District. Mayor Pro Tempore **Deffibaugh made a motion to approve.** Councilmember **Glass seconded the motion.** The **motion carried unanimously.**

Mayor **Bowers** then announced the eighth item under the Regular Agenda: **(2012-042)** “Discussion and possible action regarding a possible memorial to honor the late Mayor Pro Tempore Billy Combest”. Mayor **Bowers** suggested that the City move forward in naming the Police Department after Mayor Pro Tempore Combest. Mayor Pro Tempore **Deffibaugh** advised that he had been speaking to the local Masonic Lodge and they were having a corner stone made to put at the Police Department in honor of Mayor Pro Tempore Combest. Council asked that Staff bring back recommendations for the renaming of the Police Department.

Mayor **Bowers** then announced the ninth item under the Regular Agenda: **(2012-043)** “Discussion and possible action regarding the construction/renovation of the Lois Nelson Public Library and the budget associated with this project”. Architect Ken Smith did a presentation for the Council and Staff regarding the proposed design for the new Library. Mayor Bowers thanked Staff and the Community for all the hard work to make this project possible. Mayor Pro Tempore **Deffibaugh made a motion to approve the proposed budget and for Staff to move forward.** Councilmember **Glass seconded the motion.** **The motion carried unanimously.**

Mayor **Bowers** then announced the tenth item under the Regular Agenda: **(2012-044)** “Discussion and possible action regarding the acceptance of \$49,977.00 from the EDC to the City of Princeton for paving of the parking area on 4th Street in downtown Princeton to service the local businesses in that area”. Mr. Borg explained what this money would exactly be used for and the area that it would pave. Councilmember **Glass made a motion to approve and accept the money from the EDC.** Councilmember **Beauchamp seconded the motion.** **The motion carried unanimously.**

Mayor **Bowers** then announced the eleventh item under the Regular Agenda: **(2012-045)** “Discussion and possible action regarding a request from the PYSA to waive any and all fees associated with the PYSA using the Princeton Community Park/POW including the concession stand”. Jason West, President of the PYSA, spoke before Council regarding this issue. Mayor **Bowers** asked if they were able to provide to the City all the requested documents in order to execute the Facility Use Agreement. Mr. West advised that they were still working on gathering the information. Mayor **Bowers**

suggested that there be no decisions made until everything was in order. It was decided that there should be a joint meeting/work session with the PYSA to work out the details of the agreement and the fees being assessed as well as the use of the Concession Stand. Councilmember **Glass made a motion to have a work session and to allow the PYSA to use the Concession Stand at no charge until a determination could be made at the work session and if it was determined that PYSA would be charged for the Concession Stand then the fees associated would be retroactive to first use of the Concession Stand.** Mayor Pro Tempore **Deffibaugh seconded the motion. The motion carried unanimously.**

Mayor **Bowers** then announced the twelfth item under the Regular Agenda: **(2012-046)** "Discussion and possible action regarding a Facilities Use Agreement and Concession Stand lease agreement". Councilmember **Beauchamp made a motion to table this item to the planned work session.** Mayor Pro Tempore **Deffibaugh seconded the motion. The motion carried unanimously.**

Mayor **Bowers** then announced the thirteenth item under the Regular Agenda: **(2012-047)** "Discussion and possible action regarding the Internal Revenue Service Audit and the reclassification of employees/departments". Council decided to take this item into Executive Session for legal advice. Councilmember **Glass made a motion to proceed as discussed in Executive Session.** Mayor Pro Tempore **Deffibaugh seconded the motion. The motion carried unanimously.**

Mayor **Bowers** then announced the first item under the Items for Individual Consideration: **(2012-048)** "Request for items to be placed on a future agenda and NOT for discussion of these requests". Mayor Pro Tempore **Deffibaugh** asked that as

Mr. Wheeler has discussed under Citizen Appearance that the drainage on Willow Lane be brought back since Engineering was already done on it.

Mayor **Bowers** then announced the Report Agenda:

City Manager briefed the Council on the following items: EST/4th Street Project, Hazelwood, Centennial Celebration/July 4th Spectacular and the Annual Princeton Clean Up Day.

City Council reports about items of community interest regarding which no action will be taken. Mayor Pro Tempore **Deffibaugh** reminded everyone of the Onion Festival on Saturday, April 21, 2012.

Mayor **Bowers** announced the Council would adjourn into Executive Session citing the following: **Section 551.071 (2) "Texas Government Code"** Consultation with City Attorney. A) Culleoka Water Supply Corporation (CWSC) Contract, B) Internal Revenue Service Audit.

Mayor **Bowers** adjourned into Executive Session at 7:49 p.m.

Mayor **Bowers** reconvened into Regular Session at 8:25 p.m.

Mayor **Bowers** then announced "Action pertaining to Executive Session". No action required.

Mayor Pro Tempore **Deffibaugh** made a motion to adjourn the meeting. Councilmember **Glass** seconded the motion.

Mayor **Bowers** adjourned the meeting at 7:50 p.m.

