

Minutes

The City of Princeton

Special City Council Meeting of October 15, 2013

The City Council of the City of Princeton, Texas, met in Special Session in the Council Chamber of City Hall on October 15, 2013 at 7:00 p.m.

The following Councilmembers were present: Mayor Ken Bowers, Councilmember Mayor Pro Tempore Steve Deffibaugh, Bruce Beauchamp, Councilmember JM Caldwell Jr. and Councilmember Bill Glass. The following Staff Members were present: City Manager Derek Borg, Assistant City Manager/City Secretary Lesia Thornhill, Deputy City Secretary Tabatha Monk, City Attorney Bonnie Lee Goldstein, and Chief James Waters and Lieutenant Rob Michnick.

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

Mayor **Bowers** called roll, present were Councilmembers **Beauchamp, Caldwell, Glass**, Mayor Pro Tempore **Deffibaugh** and Mayor **Bowers**.

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

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

Mayor **Bowers** then announced **Citizen Appearance**. No one 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. "Discussion and possible action to

approve the action minutes of the September 16, 2013 Special meeting”, “Discussion and possible action to approve a Resolution for the temporary closure of State Right of Way for the purpose of the Downtown Fall Festival”, “Discussion and possible approval to cancel the October 29, 2013 City Council meeting due to early voting being held in the Council Chamber from 7:00 a.m. – 7:00 p.m.”, “Discussion and possible action to approve the Community Development Corporation to purchase the following tract of land for site improvements, lot, tract or parcel of land situated in the Hardin Wright Survey, in the Town of Princeton, Collin County, Texas more particularly described as 531 N. 2nd Street”, “Discussion and possible action to approve an Interlocal Agreement between the City of Princeton and Collin County for Library Services”. Mayor Pro Tempore **Deffibaugh** made a motion to approve the Consent Agenda.

Councilmember **Caldwell** seconded the motion. The motion carried unanimously.

Mayor **Bowers** then announced the first item under the Special Agenda: **(2013-111)** “Discussion and possible action regarding a request from George Cook to hold a community garage sale for a school project”. Mayor Pro Tempore **Deffibaugh** made a motion to approve this request and to waive the associated fees. Councilmember **Caldwell** seconded the motion. The motion carried unanimously.

Mayor **Bowers** then announced the second item under the Special Agenda: **(2013-112)** “Discussion and possible action to approve the bid from P.C. Contractors L.L.C. for the 2nd Street Reconstruction Project in the amount of \$258,971.03”. Councilmember **Beauchamp** made a motion to approve. Mayor Pro Tempore **Deffibaugh** seconded the motion. The motion carried unanimously.

Mayor **Bowers** then announced the third item under the Special Agenda: **(2013-113)** “Second public hearing for a request received from Steve Combest regarding a Specific Use Permit for a Tattoo Parlor/Body Piercing Studio per the requirements of the City of Princeton Zoning Ordinance (Ordinance No. 2009-06-09) for the following tract of land described as Abstract A0957, Hardin Wright Survey, Block 6, Tract 75, approximately 1.674 acres of land, 300 W. Princeton Drive, Suite 4, Princeton, Texas (NE corner of Yorkshire and W. Princeton Drive)”.

Mayor **Bowers** opened the public hearing at 7:12 p.m.

Joshua Koshiol spoke for this item.

Mayor **Bowers** closed the public hearing at 7:13 p.m.

Mayor **Bowers** then announced the fourth item under the Special Agenda: **(2013-114)** “Discussion and possible action to approve Ordinance No. 2013-10-15 regarding an SUP, Specific Use Permit, for 50/50 Ink, a Tattoo Parlor/Body Piercing Studio to be located at 300 W. Princeton Drive, Princeton, Texas”. Councilmember **Beauchamp** **made a motion to approve**. Councilmember **Glass** **seconded the motion**. **The motion carried unanimously**.

Mayor **Bowers** then announced the fifth item under the Special Agenda: **(2013-115)** “Discussion and possible action to approve a change in Atmos Energy Corporation, Mid-Tex Division’s rates as a result of settlement between Atmos and the Atmos Texas Municipalities under the Rate Review Mechanism”. Mayor Pro Tempore **Deffibaugh** made a motion to approve. Councilmember **Glass** seconded the motion. **The motion carried unanimously**.

Mayor **Bowers** then announced the sixth item under the Special Agenda: **(2013-116)** "Discussion and possible action regarding an appointment of one of the following applicants by Mayor **Ken Bowers** to fill the vacancy on the Community Development Corporation: David Kleiber and Donald Moncier". No action taken.

Mayor **Bowers** then announced the seventh item under the Special Agenda: **(2013-117)** "Discussion and possible action regarding an appointment of one of the following applicants by Councilmember Bruce Beauchamp to fill the vacancy on the Economic Development Corporation: Donald Moncier". No action taken.

Mayor **Bowers** then announced the eighth item under the Special Agenda: **(2013-118)** "Discussion and possible action to approve an Ordinance, amending Ordinance No. 2008-08-26, City of Princeton Personnel Policy Manual". Councilmember **Glass** **made a motion to approve**. Mayor Pro Tempore **Deffibaugh** **seconded the motion**. **The motion carried unanimously**.

Mayor **Bowers** then announced the ninth item under the Special Agenda: **(2013-119)** "Discussion and possible action to approve an Ordinance creating a Library Board and providing for the appointment/removal of its members and the method of filling vacancies, providing for the adoption of rules and regulations, powers and authorities, voting and procedures". Councilmember **Caldwell** **made a motion to approve with the change being made that the appointments to the Board coincide with the City Council terms**. Councilmember **Beauchamp** **seconded the motion**. **The motion carried unanimously**.

Mayor **Bowers** then announced the tenth item under the Special Agenda: **(2013-120)** “Discussion and possible action regarding an update from the City Manager regarding all street projects”. No action taken.

Mayor **Bowers** then announced the eleventh item under the Special Agenda: **(2013-121)** “Possible action to approve request for items to be placed on a future agenda and NOT for discussion of these requests”. Councilmember **Caldwell** asked Staff to bring back a plan to start a student scholarship award. Councilmember **Beauchamp** asked for future discussion regarding the beautification corners down US Highway 380. Mayor **Bowers** asked for Staff to work with the Princeton ISD to coordinate a joint meeting with the following as possible agenda items: annexation of Harper Elementary, joint venture for shared field/facility use, future plan for growth.

Mayor **Bowers** then announced the first item under the Report Agenda: City Manager updated City Council on the storm sirens.

Mayor **Bowers** then announced the second item under the Report Agenda: “City Council reports about items of community interest regarding which no action will be taken”. Mayor **Bowers** reminded everyone of the Fall Festival downtown on Saturday, October 26, 2013.

Mayor **Bowers** then announced the Council would adjourn into Executive Session citing the following: **Section 551.071 (2) “Texas Government Code”** Consultation with City Attorney. **Section 551.071 (A) “Texas Government Code”** Pending or Contemplated litigation. “LGD Properties, Inc. /Princeton Impact Fee, LGD Properties, Inc., v. City of Princeton Cause No. 429-04758-2012. 429th Judicial District Court,

Collin County, Texas”, “Dr. Glen Hurlston vs. City of Princeton Cause No. 199-00051-2013, 199th Judicial District Court, Collin County, Texas”. **Section 551.074 (a) (1)**

“**Texas Government Code**” Personnel. Fire Chief, Thomas Harvey.

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

Mayor **Bowers** reconvened into Regular Session at 8:09 p.m.

Mayor **Bowers** then announced “Action pertaining to Executive Session”.

Councilmember **Glass** made a motion regarding **Section 551.071 (A)** to have **Counsel move forward as directed**. Councilmember **Beauchamp** seconded the motion. The motion carried unanimously. Councilmember **Beauchamp** made a motion regarding **Section 551.074** to approve Thomas Harvey as the new Fire Chief. Councilmember **Glass** seconded the motion. Mayor Pro Tempore **Deffibaugh** abstained. The motion carried 3 for and 1 abstention.

Councilmember **Beauchamp** made a motion to adjourn. Councilmember **Caldwell** seconded the motion. The motion carried unanimously.

Mayor **Bowers** adjourned the meeting at 8:11 p.m.



Ken Bowers, Mayor

ATTEST:



Lesla Thornhill, City Secretary

