

Minutes

The City of Princeton

Special City Council Meeting of July 22, 2013

The City Council of the City of Princeton, Texas, met in special session in the Council Chamber of City Hall on July 22, 2013 at 7:00 p.m.

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

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

Mayor **Bowers** called roll, present were Councilmembers **Glass, Beauchamp, Caldwell, 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 **Beauchamp** to lead the audience in the **Pledge of Allegiance.**

Mayor **Bowers** then announced **Citizen Appearance.** Bobbie Hartwig spoke under citizens appearance.

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.

Mayor Pro Tempore **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 Special Agenda:

(2013- 080) "Discussion and possible action regarding a request from MPS, Inc., Jill Davis, for the approval to add donation (collection) boxes to the Zoning Ordinance 2009-06-09 "Uses" chart and definitions section". Mayor **Bowers** asked for staff to do more research and bring this back at a later time.

Mayor Bowers then announced the second item under the Special Agenda:

(2013-081) "Discussion and possible action regarding street resealing and resurfacing of the streets in Greenfield Acres". Councilmember **Beauchamp** made a motion to approve. Councilmember **Glass** seconded the motion. The motion carried unanimously.

Mayor **Bowers** announced the Council would adjourn into Executive Session citing the following: **Section 551.071 (2)** "Texas Government Code" Consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter on any posted agenda items. (A) "Sidewalks at the Villas of Monte Carlo". (B) "DR Horton Impact Fee Refund Demand and Appeal". **Section 551.071 (A)** "Texas Government Code" Pending or Contemplated litigation. (A) "City of Princeton v. Beazer Homes". (B) "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".

Mayor **Bowers** adjourned into Executive Session at 7:18 p.m.

Mayor **Bowers** reconvened into Special Session at 7:56 p.m.

Mayor **Bowers** then announced "Action pertaining to Executive Session". Mayor Pro Tempore **Deffibaugh** made a motion for staff to move forward as directed on item **(A) "sidewalks at the Villas of Monte Carlo"**. Councilmember **Glass** seconded the motion. The motion carried unanimously.

Mayor **Bowers** then adjourned for a 10 minute break at 7:57 p.m.

Mayor **Bowers** reconvened at 8:07 p.m.

Mayor **Bowers** then announced the third item under the Special Agenda: **(2013-082)** "Public Hearing to receive evidence and testimony regarding DR Horton Impact Fee Appeal pursuant to Ordinance No. 2009-04-14". Mayor **Bowers** opened the public hearing at 8:07 p.m. DR Horton representative Art Anderson spoke on behalf of DR Horton. Mayor **Bowers** closed the public hearing at 8:10 p.m.

Mayor **Bowers** then announced the fourth item under the Special Agenda: **(2013-083)** "Discussion and possible action regarding DR Horton Impact Fee Appeal pursuant to Ordinance No. 2009-04-14". Councilmember **Beauchamp** made a motion to deny request from DR Horton and for legal to proceed as directed. Councilmember **Deffibaugh** seconded the motion. The motion carried unanimously.

Mayor **Bowers** then announced the fifth item under the Special Agenda: **(2013-084)** "Discussion and possible action to appoint Glendelia (Glendy) Avila to the Home Rule Charter Commission". Councilmember **Glass** made a motion to approve. Councilmember **Caldwell** seconded the motion. The motion carried unanimously.

Mayor **Bowers** then announced the fourth item under the Special Agenda: **(2013-085)** "Possible action to approve request for items to be placed on a future agenda and

