

Minutes

The City of Princeton

Regular City Council Meeting of October 26, 2010

The City Council of the City of Princeton, Texas, met in regular session in the Council Chamber of City Hall on October 26, 2010 at 7:00 p.m.

The following Councilmembers were present: Mayor Ken Bowers, Mayor Pro Tempore Billy Combest, Councilmember Bruce Beauchamp, Councilmember Rick Wheeler, Councilmember JM Caldwell Sr., and Councilmember Steve Deffibaugh. The following Staff Members were present: City Manager Joseph Portugal, Lee Lawrence, City Secretary/Director of Administrative Services Lesia Thornhill, Planning/Development Technician Kathy Morris, City Attorney Bonnie Goldstein (via telephone), Interim Library Director/Parks Coordinator Cathy Dunkel, Fire Marshal Derek Borg, Municipal Court Supervisor Laura DeVoe and Chief Jeff Barnett.

**Mayor Bowers called the City Council Meeting to order at 7:03 PM.**

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

Mayor **Bowers** then asked Councilmember **Wheeler** 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**. Bob Eoff and JM Caldwell Sr. 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. a. Discussion and possible approval of minutes from September 14, & October 12, 2010 City Council meeting. b. Discussion and possible approval of an ordinance approving the 2010 certified Tax Roll. c. Discussion and possible approval of an agreement between the city and Time Warner Cable. Councilmember **Wheeler 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 Regular Agenda: **(2010-239)** "Discussion and approval of a Proclamation recognizing Municipal Court Week, November 1-5, 2010". Mayor **Bowers** read the Proclamation for the record then presented the Proclamation to Laura DeVoe, Municipal Court Supervisor. Councilmember **Caldwell made a motion to approve the Proclamation.** Councilmember **Wheeler seconded the motion.** The motion carried unanimously.

Mayor **Bowers** then announced the second item under the Regular Agenda: **(2010-240)** "Discussion and possible action regarding Change Order No. 4 for the Monte Carlo Boulevard Improvement Project". No action required. Item removed from agenda.

Mayor **Bowers** then announced the third item under the Regular Agenda: **(2010-241)** "Second public hearing regarding a voluntary annexation from Durrie L. Caldwell and Leland Ray Caldwell for property being more particularly described as follows: 40.13 acres comprised of 3 tracts of land. (being a survey of a 31.240 acre tract of land situated in the Hardin Wright Survey, Abstract No. 957, Block 8, Tract 427; as recorded in Volume 2536, Page 437; being a survey of a .2391 acre tract of land situated in the Hardin Wright Survey, Abstract No. 957, Block 8, Tract 242 as recorded in Volume 478, Page 507; being a survey of a 8.652 acre tract of land situated in the Hardin Wright Survey Abstract No. 957, Block 8, Tract 424 as recorded in Volume 1993, page 689 of Deed Records of Collin County, Texas. Being more particularly described by metes and bounds as follows: 40.13 acres of land)".

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

No one spoke for or against this item.

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

Mayor **Bowers** then announced the fifth item under the Regular Agenda: **(2010-242)** "Discussion and possible approval of the Main Street sidewalk project to be funded by the Princeton Community Development Corporation and the Princeton Economic Development Corporation". Mr. Lawrence discussed this item. Councilmember **Deffibaugh** made a motion to approve. Mayor Pro Tempore **Combest** seconded the motion. The motion carried unanimously.

Mayor **Bowers** then announced the sixth item under the Regular Agenda: **(2010-243)** "Discussion and possible action to approve the construction of the concession stand/restroom combination to be constructed by Stronghold Construction". Mr. Lawrence explained this item and advised Council that approval has been given by the Princeton Community Development Corporation for this project. Mayor Pro Tempore **Combest** made a motion to approve. Councilmember **Wheeler** seconded the motion. The motion carried unanimously.

Mayor **Bowers** then announced the seventh item on the Regular Agenda **(2010-244)** "Second public hearing regarding a request from Jefferson Bank, Dennis Ortiz, to amend Ordinance 2000-05-17 to change the minimum side yard setbacks of 6 feet to 5 feet on the following lots within Princeton Meadows West Phase I and Phase II as required by the City of Princeton's Zoning Ordinance (Ordinance No. 2009-06-09)".

Mayor **Bowers** opened the public hearing at 7:26 p.m.

No one spoke for or against this item.

Mayor **Bowers** closed the public hearing at 7:27 p.m.

Mayor **Bowers** reopened the public hearing at 8:00 p.m.

Kalsier Ali spoke on this item.

Mayor **Bowers** closed the public hearing at 8:01 p.m.

Mayor **Bowers** then announced the eighth item under the Regular Agenda: **(2010-245)** "Discuss and consider action relative to the approval of Resolution 2010-10-26-R of the City Council of the City of Princeton, Texas, adopting the Safety Records Policy as codified in the Texas Local Government Code for Prospective bidders and criteria for determining if a prospective bidder is a responsible bidder". City Manager, Joseph Portugal, discussed this item with Council. Councilmember **Wheeler made a motion to approve**. Councilmember **Deffibaugh seconded the motion**. **The motion carried unanimously.**

Mayor **Bowers** then announced the ninth item under the Regular Agenda: **(2010-246)** "Discussion and possible approval of required NIMS training". Fire Marshal, Derek Borg, presented this item and the appropriate Staff required to complete this training in order to remain in compliance for future Grants. Councilmember **Wheeler made a motion to have Mr. Borg work with Staff to have NIMS training completed on or before January 1, 2011**. Councilmember **Beauchamp seconded the motion**. **The motion carried unanimously.**

Mayor **Bowers** then announced the tenth item under the Regular Agenda: **(2010-247)** "Presentation, discussion and possible action regarding updates from the Interim Director of Public Works regarding Jefferson Street and the dirt pile on US Highway 380, and FM 982 water/sewer line relocation". Mr. Lawrence updated Council on the listed items. No action required.

Mayor **Bowers** then announced the eleventh item under the Regular Agenda: **(2010-248)** "Discussion and possible action to release the lien on property located at 301 Bonnieview Drive purchased by Habitat for Humanity". Mr. Lawrence explained this lien was put on the property years ago and should have been release when Habitat purchased the property. Councilmember **Deffibaugh made a motion to approve the release of the lien**. Councilmember **Caldwell seconded the motion**. **The motion carried unanimously.**

Mayor **Bowers** then announced the twelfth item under the Regular Agenda: **(2010-249)** "Discussion and possible action regarding an amended Facility Utilization Agreement between the City of Princeton and the Princeton Youth Sports Association and authorizing the Mayor to sign". Mayor Pro Tempore **Combest made a motion to approve this agreement.** Councilmember **Wheeler seconded the motion.** The **motion carried unanimously.**

Mayor **Bowers** then announced the thirteenth item under the Regular Agenda: **(2010-250)** "Second public hearing for the purpose of amending the City of Princeton's Comprehensive Zoning Ordinance (Ordinance No. 2009-06-09) and to consider public comment on the proposed amendments to the Comprehensive Zoning Ordinance. Mayor **Bowers** opened the public hearing at 7:59 p.m. No one spoke for or against this item.

Mayor **Bowers** closed the public hearing at 8:00 p.m.

Mayor **Bowers** then announced the fourteenth item under the Regular Agenda: **(2010-251)** "Discussion and possible action to approve a Resolution to authorize the intervention at the Railroad Commission of Texas concerning the filing for an increase in rates by ATMOS Pipeline". Mr. Portugal discussed this item and recommended approval. Councilmember **Wheeler made a motion to approve.** Mayor Pro Tempore **Combest seconded the motion.** The **motion carried unanimously.**

Mayor **Bowers** then announced the fifteenth item under the Regular Agenda: **(2010-252)** "Request for items to be placed on a future agenda and NOT for discussion of these requests". Councilmember **Wheeler** asked for an update regarding the Flea Market.

Mayor **Bowers** then announced the first item under the Report Agenda: City Administrator.

Mr. Lawrence updated Council on the proposed changes to the Zoning Ordinance regarding fence regulations. He also reviewed documents relative to permits issued within the city.

Mayor **Bowers** 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. **Section 551.072 "Texas Government Code"** Purchase, exchange, lease or value of real property.

Mayor **Bowers** adjourned into Executive Session at 8:12 p.m.

Mayor **Bowers** reconvened into Regular Session at 8:37 p.m.

Mayor **Bowers** then announced "**Action pertaining to the Executive Session**". Councilmember **Wheeler made a motion for Staff to move forward with agreement as discussed**. Councilmember **Caldwell seconded the motion**. **The motion carried unanimously**.

Mayor **Bowers** then announced the sixteenth item under the Regular Agenda: **(2010-253) "Discussion and possible action regarding the Rules of Order for the Princeton City Council"**. Councilmember **Wheeler made a motion to table this item**. Councilmember **Deffibaugh seconded the motion**. **The motion carried unanimously**.

Mayor **Bowers** then announced the seventh item under the Regular Agenda: **(2010-254) "Discussion and possible action regarding the proposed property known as Princeton Original Donation (CPN), Block 2, Lot 8"**. Councilmember **Wheeler made a motion to approve**. Councilmember **Caldwell seconded the motion**. **The motion carried unanimously**.

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

Mayor **Bowers** adjourned the meeting at 8:40 p.m.

Ken Bowers 11/16/10  
Ken Bowers, Mayor Date

ATTEST:

Lesia Thornhill 11/16/10  
Lesia Thornhill, City Secretary Date

