

Minutes

The City of Princeton

Regular City Council Meeting of April 28, 2009

The City Council of the City of Princeton, Texas, met in regular session in the Council Chamber of City Hall on April 28, 2009 at 7:00 p.m.

The following Councilmembers were present: Mayor Steven Deffibaugh, Mayor Pro Tempore Billy Deffibaugh, Councilmember Rick Wheeler, Councilmember Bruce Beauchamp, Councilmember JM Caldwell Sr. and Councilmember Ken Bowers. The following Staff Members were present: City Administrator Lee Lawrence, Assist. City Administrator/City Secretary Lesia Thornhill, Deputy City Secretary/Grant Coordinator Tabatha Monk, City Engineer Kevin Johnson, Development Tech Kathy Morris, City Attorney Bonnie Goldstein and Police Chief Jeff Barnett.

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

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

Mayor **Deffibaugh** then led the Council and audience in the invocation.

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

Mayor **Deffibaugh** then announced **Citizen Appearance.** No one spoke.

Mayor **Deffibaugh** 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 the City Council meeting minutes of April 14, 2009. b. Discussion and approval of the City Council meeting minutes of April 21, 2009. Councilmember **Bowers made a**

**motion to approve.** Councilmember **Wheeler seconded the motion.** The **motion carried unanimously.**

Mayor **Deffibaugh** then announced the first item under the Regular Agenda: **(2009-090)** "Presentation of a check in the amount of \$153,550.00 by Commissioner Joe Jaynes to the city for the development of the Community Park". Commissioner Jaynes announced future funds from the County for park improvements and encouraged the city to apply for those monies.

Mayor **Deffibaugh** then announced the second item under the Regular Agenda: **(2009-091)** "Discussion and possible approval of Change Order No. 3 in the amount of \$5,105.00 for the 2<sup>nd</sup> Street/Dogwood Water Line project No. PRN07183". City Engineer, Kevin Johnson, presented this item. Councilmember **Wheeler made a motion to approve the third change order.** Councilmember **Bowers seconded the motion.** The **motion carried unanimously.**

Mayor **Deffibaugh** then announced the third item on the Regular Agenda: **(2009-092)** "Discussion and possible action to accept the resignation of Michael Brinkerhoff as Alternate Planning & Zoning Commissioner to the Planning & Zoning Commission". Councilmember **Wheeler made a motion to accept the resignation.** Councilmember **Caldwell seconded the motion.** The **motion carried unanimously.**

Mayor **Deffibaugh** then announced the fourth item under the Regular Agenda: **(2009-093)** "Discussion and possible approval of a development agreement between the City of Princeton and United Engineering Group-Princeton 860". UEG Attorney, Misty Ventura, was present for any questions. City Administrator, Lee Lawrence, explained the requested changes from both parties and recommended approval. Mayor Pro Tempore **Combest made a motion to approve.** Councilmember **Bowers seconded the motion.** The **motion carried unanimously.**

Mayor **Deffibaugh** then announced the fifth item under the Regular Agenda: **(2009-094)** "Discussion and possible approval of an ordinance of the City of Princeton

amending the comprehensive zoning ordinance number 98-001 of the City of Princeton to allow for an approximate 860-acre master planned community within the city limits of Princeton". Councilmember **Wheeler made a motion to approve.** Councilmember **Caldwell seconded the motion.** **The motion carried unanimously.**

Mayor **Deffibaugh** then announced the sixth item under the Regular Agenda: **(2009-095)** "Discussion and possible approval to apply for the 2009 Recreational Trail Grant (Project 10) for park improvements for Community Park/POW camp". City Administrator explained this item to Council. Councilmember **Bowers made a motion to approve.** Councilmember **Wheeler seconded the motion.** **The motion carried unanimously.**

Mayor **Deffibaugh** then announced the seventh item under the Regular Agenda: **(2009-096)** "Second public hearing regarding a request from Giant Sign Co. for a specific use permit to allow for the installation of a monument sign as required by the City of Princeton's Sign Ordinance (Ordinance No. 200-05-21, Section 58-91 (d) for the following tract of land described as Gilbert's Drive In & Storage, 2452 FM 3364, Princeton, Texas".

Mayor **Deffibaugh** opened the public hearing at 7:29 p.m.

Michael Garrian, General Manager, for Giant Sign Company spoke for this item.

Mayor **Deffibaugh** closed the public hearing at 7:30 p.m.

Mayor **Deffibaugh** then announced the eighth item under the Regular Agenda: **(2009-097)** "Discussion and possible approval of an ordinance to allow for a specific use permit to allow for the installation of a monument sign to be located at Gilbert's Drive In & Storage, 2452 FM 3364, Princeton, Texas". Councilmember **Wheeler made a motion to approve.** Mayor Pro Tempore **Combest seconded the motion.** **The motion carried unanimously.**

Mayor **Deffibaugh** then announced the ninth item under the Regular Agenda: **(2009-098)** "Discussion and possible approval of an ordinance amending the

Comprehensive Zoning Ordinance (Ordinance No. 98-001) to provide for an affordable housing overlay in the following residential district: Princeton Estates Addition, establishing development regulations". City Administrator discussed this item. Councilmember **Wheeler made a motion to approve**. Councilmember **Beauchamp seconded the motion**. The **motion carried unanimously**.

Mayor **Deffibaugh** then announced the tenth item under the Regular Agenda: **(2009-099)** "Continued 2<sup>nd</sup> public hearing regarding a request from MNF Properties, JV for zoning of the following tract of land located at 1895 CR 447, Princeton, Texas, from Agriculture "A" to Single Family 2 "SF2", situated in the S.D. Terry Survey, Abstract No. 890, Collin County, Texas and being a part of a 60.411 acres tract of land as described in a deed from the Veterans Land Board of Texas to William E. Stroud, dated April 11, 1979 and being recorded in Volume 1172, Page 196 of the land records of Collin County, Texas, being more particularly described as 59.83 acre tract of land".

Mayor **Deffibaugh** opened the public hearing at 7:43 p.m.

No one spoke for or against this item.

Mayor **Deffibaugh** closed the public hearing at 7:44.

Mayor **Deffibaugh** then announced the eleventh item under the Regular Agenda: **(2009-100)** "Discussion and possible approval of an ordinance amending the Comprehensive Zoning Ordinance (Ordinance No. 98-001) from Agriculture "A" to "SF2" Single Family 2, on a portion of the S.D. Terry Survey, Abstract No. 890 and being more particularly described as follows: 59.83 acre tract of land located at 1895 CR 447, Princeton, Texas". City Administrator explained the position of the Planning and Zoning Commission to the Council. Mr. Lawrence explained Staff was recommending a compromise and that the Developer was in agreement with Staff's recommendation. Councilmember **Caldwell made a motion to approve the ordinance**. Councilmember **Wheeler seconded the motion**. Councilmember **Caldwell withdrew his motion and Councilmember Wheeler withdrew his second**. Councilmember **Bowers made a**

**motion to approve with Staff's recommendation for "SF1" Single Family 1 adjacent to larger lots and "SF2" Single Family 2 for remaining development.**

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

Mayor **Deffibaugh** then announced the twelfth item under the Regular Agenda: **(2009-101)** "Second public hearing regarding a voluntary annexation of property, being situated in the S.D. Terry Survey, Abstract No. 890, Collin County, Texas, and being a resurvey of a called 1.500 acre tract of land described in a deed to Dalto, Inc., of record in Volume 2106, Page 366, Deed Records, Collin County, Texas and being more particularly described as follows: 1.501 acres of land located at SW corner of FM 982 and FM 546, Princeton, Texas".

Mayor **Deffibaugh** opened the public hearing at 7:50 p.m.

Michael Biggs spoke against this item.

Mayor **Deffibaugh** closed the public hearing at 7:52 p.m.

Mayor **Deffibaugh** then announced the thirteenth item under the Regular Agenda: **(2009-102)** "Second public hearing regarding a request for voluntary annexation from Robert Fishell of property being a tract or parcel of land situated in Collin County, Texas, being part of the David Cherry Survey, Abstract No. 166, being part of a called 97.419 acre tract of land as described in a Warranty Deed with a Vendor's Lien from Marcel K. Jones et al to T. Meredith Hard a/k/a Thomas Meredith Hard and wife, Nancy J. Hard as recorded in Volume 3537 at Page 97 of the Land Records of Collin County, Texas and being further described as follows: 5.306 acres of land, located at the southeast corner of FM 1377 and CR 458".

Mayor **Deffibaugh** opened the public hearing at 7:54 p.m.

Michael Biggs expressed his same opposition from item 2009-101.

Mayor **Deffibaugh** closed the public hearing at 7:54 p.m.

Mayor **Deffibaugh** then announced the fourteenth item under the Regular Agenda: **(2009-103)** "Discussion and possible approval of a Resolution to acknowledge the non-

acceptance of two (2) parks located in Princeton Village, Princeton, Texas". City Administrator explained how this was discovered and the city and property owners are in agreement with this Resolution. Councilmember **Wheeler made a motion to approve**. Councilmember **Bowers seconded the motion**. The **motion carried unanimously**.

Mayor **Deffibaugh** then announced the fifteenth item under the Regular Agenda: **(2009-104)** "Request for items to be placed on a future agenda and NOT for discussion of these requests". Councilmember Beauchamp requested the sign ordinance be brought back for discussion. Councilmember Bowers requested an update on the Website and information regarding publication and posting of public hearings. Councilmember Wheeler asked for the organizational chart and for Code Enforcement to check into property owners converting their garage into a living area, therefore, storing items outside in front of their homes.

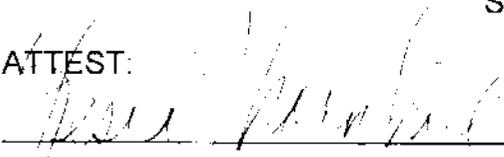
Mayor **Deffibaugh** announced Council would not be going into Executive Session.

Mayor **Deffibaugh** then announced the first item under the Report Agenda: City Administrator announced the Special meeting Tuesday, May 5, 2009 at 7:30 p.m. He informed Council there would need to be a retreat or workshop to discuss the budget in the near future.

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

Mayor **Deffibaugh adjourned the meeting at 8:09 p.m.**

  
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Steven Deffibaugh, Mayor 5-14-09  
Date

ATTEST:  
  
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Lesia Thornhill, City Secretary 5-14-09  
Date

