

Minutes

The City of Princeton

Regular City Council Meeting of June 13, 2011

The City Council of the City of Princeton, Texas, met in regular session in the Council Chamber of City Hall on June 13, 2011 at 7:00 p.m.

The following Councilmembers were present: Mayor Ken Bowers, Councilmember Bruce Beauchamp, Councilmember Bill Glass, and Councilmember Steve Deffibaugh.

The following Staff Members were present: City Manager Joseph Portugal, City Secretary/Director of Administrative Services Lesia Thornhill, Deputy City Secretary/Grant Coordinator Tabatha Monk, Chief of Police James Waters, Chief Building Official Ladis Barr and City Attorney Bonnie Lee Goldstein. The following Councilmember was absent: Councilmember J.M. Caldwell Sr., and Mayor Pro Tempore Billy Combest.

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

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

Mayor **Bowers** then asked Councilmember **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**. Tiffany Long 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 approval of minutes of the May 23, 2011 regular meeting. 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 Items for Individual Consideration: **(2011-043)** "Consider and approve the Fiscal Year 2010/2011 Annual Audit conducted by Conway & Co., PC". Neal Conway of Conway & Co., PC, gave the presentation of the audit for Fiscal year 2010/2011. Mr. Conway stated that it was a clean audit and the City was in good financial shape. Councilmember **Beauchamp made a motion to approve the audit.** Councilmember **Deffibaugh seconded the motion.** The **motion carried unanimously.**

Mayor **Bowers** then announced the second item under Items for Individual Consideration Agenda: **(2011-044)** "Consideration and approval of a donation from Joann Frankum for the Princeton Community Library". City Manager, Joseph Portugal, discussed this donation from Mrs. Frankum and the plans for a new Library. Councilmember **Beauchamp** expressed appreciation from the City to Mrs. Frankum for her generous donation and was excited about the plans being drawn up by Fire Marshal Derek Borg with the assistance from Mrs. Frankum. Councilmember **Beauchamp made a motion to approve.** Councilmember **Glass seconded the motion.** The **motion carried unanimously.**

Mayor **Bowers** then announced the third item under Items for Individual Consideration Agenda: **(2011-045)** "Presentation by IESI regarding residential poly carts". Henry Lew of IESI discussed this item and presented a DVD for viewing of the poly carts being placed back where they were supposed to be placed. He also stated that different subdivisions may have different rules/regulations for placement of the poly carts. City Council seemed pleased with the video and the job being done by IESI. There were no questions for IESI. No action was taken on this item.

Mayor **Bowers** then announced the fourth item under Items for Individual Consideration Agenda: **(2011-046)** "Consideration and approval of an agreement with Atlas Enterprises Inc. for a fireworks display on July 3, 2011". Mayor **Bowers** presented this item. The Mayor advised Council that the cost for this show would be \$5,000.00 and the proceeds from the booth rentals would go towards helping to pay for this expense. Councilmember **Beauchamp made a motion to approve the agreement.** Councilmember **Deffibaugh seconded the motion.** The motion carried **unanimously.**

Mayor **Bowers** then announced the first item under Ordinance Agenda: **(2011-047)** "Consider adoption of Ordinance O-06-11 an Ordinance of the City Council of the City of Princeton, Texas amending Ordinance No. 2009-06-09, as amended by Ordinance No. 2010-01-26-01, Section 32.1.1, relative to the membership of the Planning and Zoning Commission to remove the position of alternate members; repealing all conflicting ordinances; providing a severability clause; and providing an effective date". City Manager discussed this ordinance. Mr. Portugal explained the points of interest within the ordinance to the Council. Councilmember **Glass made a motion to approve.**

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

Mayor **Bowers** then announced the second item under the Ordinance Agenda: **(2011-048)** "Consider adoption of an Ordinance O-07-11 an Ordinance of the City Council of the City of Princeton, Texas amending the Code of Ordinances, Chapter 50, Parks and Recreation, Article II, Parks and Recreation Board, Section 50-37, relative to membership and term, duties and appointment by providing for five members and establishing a residency requirement within the City limits; repealing all conflicting Ordinances; providing a severability clause; and providing an effective date". Mr. Portugal discussed the points of interest with the proposed ordinance. Councilmember **Beauchamp made a motion to approve. Councilmember Deffibaugh seconded the motion. The motion carried unanimously.**

Mayor **Bowers** then announced the third item under the Ordinance Agenda: **(2011-049)** "Consider adoption of an Ordinance O-08-11 an Ordinance of the City Council of the City of Princeton, Texas adopting uniform policies and rules for the conduct of business by and before the Planning and Zoning Commission, the Parks and Recreation Board, the Zoning Board of Adjustment, and such other Council appointed Boards, Commissions and Committees to which such policies and rules may be applicable; repealing all conflicting Ordinances; providing a severability clause; and, providing an effective date". City Manager discussed this Ordinance and the points of interest. Councilmember **Deffibaugh made a motion to approve. Councilmember Glass seconded the motion. The motion carried unanimously.**

Mayor **Bowers** then announced the first item under the Resolution Agenda: **(2011-050)** "Consider approval of a Resolution R-18-11 a Resolution of the City Council of the City of Princeton, Texas adopting and approving a new application for appointment to Boards and Commissions; and providing an effective date". Mr. Portugal updated the Council on this Ordinance. Councilmember **Glass made a motion to approve.** Councilmember **Beauchamp seconded the motion.** The **motion carried unanimously.**

Mayor **Bowers** then announced the second item under the Resolution Agenda: **(2011-051)** "Consider approval of a Resolution R-19-11 a Resolution of the City Council of the City of Princeton, Texas approving a settlement agreement between the Alliance of Oncor Cities ("AOC") and Oncor Electrical Delivery Company LLC ("Oncor" or "Company") regarding the Company's statement of intent to change electric rates in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting Tariffs that reflect rate adjustments consistent with the settlement agreement and finding the rates to be set by the attached Tariffs to be just and reasonable; finding the City's rate case expenses reasonable; directing Oncor to reimburse the City its reasonable rate case expenses; determining that is Resolution was passed in accordance with the requirement of the Texas Open Meetings Act; repealing any prior Resolutions inconsistent with the Resolution and requiring delivery of this Resolution the company and legal counsel; and declaring an effective date". City Attorney, Bonnie Lee Goldstein, discussed this item. Councilmember **Deffibaugh made a motion to approve.** Councilmember **Glass seconded the motion.** The **motion carried unanimously.**

Mayor **Bowers** then announced the Third item under the Resolution Agenda: **(2011-052)** "Consider approval of a Resolution R-20-11 a Resolution of the City Council of the City of Princeton, Texas authorizing the City Manager to execute an agreement with Edward B. Peacock for Financial Consulting Services". Mr. Portugal discussed this item. Councilmember **Beauchamp made a motion to approve.** Councilmember **Glass seconded the motion.** The motion carried unanimously.

Mayor **Bowers** then announced the Future Agenda Items **(2011-053)** "Request for items to be placed on a future agenda and NOT for discussion of these requests". Councilmember **Beauchamp** asked for an ordinance to be brought back requiring the homeowner to move their trash cans from the curbs.

Mayor **Bowers** then announced the item under the Report Agenda: City Manager: Municipal Auction land the new Police Station. City Council Reports About Items Of Community Interest Regarding Which No Action Will Be Taken. City Manager discussed the Capital Improvement Program.

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. Section 551.071 (A) "Texas Government Code" Pending or Contemplated litigation. D). Collin County vs. City of Princeton, Quo Warranto, Case No. 401-00108-2010. B) Texas New Mexico Power Company's request for approval of advanced metering system (AMS) deployment and AMS surcharge, SOAH Docket No. 473-10-4451, PUC Docket No. 38306.

Mayor **Bowers** adjourned into Executive Session at 8:19 p.m.

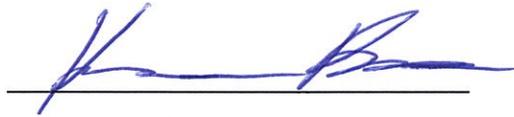
Mayor **Bowers** reconvened into Regular Session at 9:09 p.m.

Mayor **Bowers** then announced "Action pertaining to the Executive Session".

Councilmember **Beauchamp** made a motion to have legal counsel move forward as directed. Councilmember **Deffibaugh** seconded the motion. The motion carried unanimously.

Councilmember **Deffibaugh** made a motion to adjourn. Councilmember **Glass** seconded the motion. The motion carried unanimously.

Mayor **Bowers** adjourned the meeting at 9:10 p.m.



Ken Bowers, Mayor

ATTEST:



Lesia Thornhill, City Secretary

