

Minutes

The City of Princeton

City Council Meeting of February 13, 2023

The City Council of the City of Princeton, Texas, met in Regular Session on February 13, 2023, at 6:30 p.m. in the City Council Chamber at City Hall, located at 2000 E. Princeton Dr. Princeton, Texas 75407.

The following Councilmembers were present: Mayor Brianna Chacon, Mayor Pro Tempore Steven Deffibaugh, Councilmember Marlo Obera, Councilmember David Kleiber, Councilmember Bryan Washington, and Councilmember Underwood.

The following Councilmembers were absent: None.

The following Staff Members were present: City Manager Derek Borg, City Attorney David Overcash, City Secretary Amber Anderson, Director of Development Services Shawn Fort, Director of Community Engagement Tenishea Turner, Director of Parks & Rec. Chase Bryant, Interim Chief of Police Waters, Officer Rizzo, Sergeant Flatt, and Officer Toler.

Mayor **Chacón** called the City Council Meeting to order at 6:41 p.m.

Mayor **Chacón** called roll, present were Councilmembers: **Kleiber, Obera, Underwood, Washington and Mayor Pro Tempore Deffibaugh.**

**Moment of Silence.**

Mayor **Chacón** then announced the Pledge of Allegiance.

Mayor **Chacón** then announced Public Appearance: The following is a list of speakers that spoke in order under Public Appearance: Dorinda Powell, Gbenga Abidun, Michael Oliver, Stan Fike, and Ayse Kalabak.

Mayor **Chacón** announced Mayors Comments: Make sure we are all on the same page. I do believe I speak for myself and the entirety of Council and I just want to make

for sure that we are all aware that no one here supports any type of child abuse in any regard whatsoever, that is definitely something we don't subscribe to. I also want to say I have the most utmost respect and confidence in our Police Department who was there for the entirety of the event and there was no sexual child abuse that was witnessed or anything. Thank you to our Police Department for doing what you do we appreciate you immensely. Also, to remind you that at our local level Municipality we don't create laws, we uphold the laws to the constitution, and we all operate under the same ones. Therefore, I would highly encourage if you are not happy with the events that are happening here locally that we don't have any control over within the constitution you need to contact your congressmen.

Mayor **Chacón** 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. Items on the **Consent Agenda were Minutes**: Discussion and possible action regarding the minutes of January 23, 2023, Regular City Council Meeting. **Financial Report**: Discussion and possible action regarding the FY 2022-23 Financial Report as of the Three Months Ended December 31, 2022 (unaudited). **Amended Resolution No. 2022-12-12-R01 (Dogwood Generator)**: Discussion and possible action regarding amendment to Resolution No. 2022-12-12-R01 of the City of Princeton, Texas, Establishing the allocation of funds for the purchase of a backup generator for the Dogwood Pump Station, and authorizing the City Manager to execute the required documents to complete the purchase. **Resolution No. 2023-02-13-R01 (IPO#163)**: Discussion and possible action regarding a resolution

of the City of Princeton, Texas authorizing individual project order #163 for the preparation of the required documents to adjust the CCN boundaries per settlement agreement dated August 2017, authorizing the funding. and authorizing the City Manager to execute the agreement. **Resolution No. 2023-02-13-R02 (Eastridge Pump Station Generator):** Discussion and possible action regarding a resolution of the City of Princeton Texas, establishing the allocation of funds for purchase of a backup generator for the Eastridge Pump Station, and authorizing the City Manager to execute the required documents to complete the purchase. **Resolution No. 2023-02-13-R (Tillage Farms Acceptance):** Discussion and possible action regarding a resolution of the City of Princeton, Texas accepting improvements and approving maintenance bonds for Tillage Farms East Phase 1, Phase 2, and Lift Station Utilities & Public Improvements; providing for an effective date; finding proper notice and meeting. **Mayor Pro Tempore Deffibaugh made a motion to approve the Consent Agenda. Councilmember Underwood seconded the motion to approve. The motion carried 5-0.**

Mayor **Chacón** then announced the first item under the Regular Agenda: **2023-021 Public Hearing (Whitewing Trails PID No. 2):** Public hearing on the levy of assessments in Phase 2 of the Whitewing Trails Public Improvement District No. 2.

**Mayor Chacon opened public hearing at 7:02 p.m.**

**Mayor Chacon closed public hearing at 7:03 p.m.**

Mayor **Chacon** then announced the second item under the Regular Agenda: **2023-022 Ordinance No. 2023-02-13-01 (Whitewing Phase 2):** Consider an ordinance levying assessments for the costs of certain improvements to be provided in the Whitewing Trails Public Improvement District No. 2 Phase 2; fixing a charge and lien against all properties within Phase 2 of the District, making a finding of special benefit to property in Phase 2 of the district; approving a service and assessment plan.

Mayor Pro Tempore **Deffibaugh** made a motion to approve. Councilmember **Washington** seconded the motion to approve. The motion carried 5-0.

Mayor **Chacón** then announced the third item under the Regular Agenda: **2023-023 Ordinance No. 2023-02-13-02 (TIRZ 5 Whitewing)**: Consider an ordinance of approving a project plan and financing plan for Tax Increment Reinvestment Zone Number Five. Councilmember **Underwood** made a motion to approve. Councilmember **Obera** seconded the motion to approve. The motion carried 5-0.

Mayor **Chacón** then announced the fourth item under the Regular Agenda: **2023-024 Ordinance No. 2023-02-13-03 (Whitewing Trails PID No. 2 Ph 2)**: Consider an ordinance authorizing the issuance of the "City of Princeton, Texas, Special Assessment Revenue Bonds, Series 2023 (Whitewing Trails Public Improvement District Improvement No. 2 Phase 2 Project)". Councilmember **Obera** made a motion to approve. Mayor Pro Tempore **Deffibaugh** seconded the motion to approve. The motion carried 5-0.

Mayor **Chacón** then announced the fifth item under the Regular Agenda: **2023-025 CFA Agreement (Whitewing Trails PID No. 2)**: Consideration and approval of the "Whitewing Trails Public Improvement District No. 2 Phase 2 Improvements Construction, Funding, and Acquisition Agreement" between the City of Princeton and MM Princeton 854, LLC. Mayor Pro Tempore **Deffibaugh** made a motion to approve. Councilmember **Washington** seconded the motion to approve. The motion carried 5-0.

Mayor **Chacón** then announced the sixth item under the Regular Agenda: **2023-026 Landowner Agreement (Whitewing Trails PID No. 2 Ph 2)**: Consideration and approval of the "Whitewing Trails Public Improvement District No. 2 Phase 2 Landowner

Agreement” between the City of Princeton and MM Princeton 854, LLC.

Councilmember **Washington made a motion to approve.** Councilmember **Obera seconded the motion to approve.** The motion carried **5-0.**

Mayor **Chacón** then announced the seventh item under the Regular Agenda:

**2023-027 Public Hearing (Franchise Agreement):** Conduct public hearing regarding a non-exclusive cable and video franchise agreement with HWTX LLC, d/b/a Hotwire, to install, operate, and maintain fiber optic cables within the public property and public rights-of-way in the City of Princeton.

**Mayor Chacon opened public hearing at 7:16 p.m.**

**Mayor Chacon closed public hearing at 7:18 p.m.**

Mayor **Chacón** then announced the eighth item under the Regular Agenda: **2023-028 Ordinance No. 2023-02-13 (Franchise Agreement):** Discussion and possible action regarding an ordinance granting to HWTX LLC (D/B/A Hotwire) and its successors and assigns a non-exclusive franchise permit to install, operate, and maintain fiber optic cables within the public streets, rights-of-way, or on public property within the City of Princeton, Texas ("City" or "Grantor"). Councilmember **Washington made a motion to approve.** Councilmember **Underwood seconded the motion to approve.** The motion carried **5-0.**

Mayor **Chacón** then announced the ninth item under the Regular Agenda:

**2023-029 FP20190413 - Final Plat Request - (Whitewing Trails Phase 2B):**

Discussion and possible action regarding a request from MM Princeton 854, LLC for final plat approval of a 54.29 acre tract of land situated in the David Cherry Survey, Abstract No. 166, City of Princeton, Collin County, Texas. Mayor Pro Tempore **Deffibaugh made a motion to approve with the stipulation that they complete the**

**punch list within 30 days. Councilmember Washington seconded the motion to approve. The motion carried 5-0.**

Mayor **Chacón** then announced the tenth item under the Regular Agenda:

**2023-030 FP20190413 - Final Plat Request - (Whitewing Trails Phase 2C):**

Discussion and possible action regarding a request from MM Princeton 854, LLC for final plat approval of a 33.71 acre tract of land situated in the David Cherry Survey, Abstract No 166, City of Princeton, Collin County, Texas. Mayor Pro Tempore

**Deffibaugh made a motion to approve with the stipulation that they complete the punch list within 30 days. Councilmember Washington seconded the motion to approve. The motion carried 5-0.**

Mayor **Chacón** then announced the eleventh item under the Regular Agenda:

**2023-031 Agreement (Ashford Crossing NSSA):** Discussion and possible action regarding a Non-Standard Water and Wastewater Service Agreement by and between the City of Princeton, Texas and LC Municipal Utility District No.1 of Collin County. Councilmember **Obera made a motion to approve. Councilmember Washington seconded the motion to approve. The motion carried 5-0.**

Mayor **Chacón** then announced the twelfth item under the Regular Agenda:

**2023-032 Public Hearing (Annexation of City Property)** Conduct a public hearing received from City of Princeton, regarding the voluntary annexation of property Being a parcel of land located in Collin County, Texas, a part of the Hardin Wright Survey, Abstract Number 957, Being all of that called 10.99-acre tract of land described in the deed to Shuzhen An and Jingbo Zhang. As recorded under Document Number 20210616001216780, of the Official Public Records of Collin County, Texas

(O.P.R.C.C.T.), and said tract being more particularly described, as follows: 10.99 acres of land, more or less.

**Mayor Chacon opened public hearing at 7:36 p.m.**

**Mayor Chacon closed public hearing at 7:36 p.m.**

Mayor Chacón then announced the thirteenth item under the Regular Agenda: **2023-033 Ordinance No. 2023-02-13-04 (Annexation of City Property):** Discussion and possible action regarding an ordinance of the City Council of the City of Princeton, Texas, annexing adjacent and contiguous territory to the City of Princeton, Texas, being approximately 10.98 acres. Mayor Pro Tempore **Deffibaugh made a motion to approve.** Councilmember **Washington seconded the motion to approve.** The **motion carried 5-0.**

Mayor Chacón then announced the fourteenth item under the Regular Agenda: **2023-034 Resolution No. 2023-02-13-R03 (Monte Carlo EST):** Discussion and possible action regarding a resolution of the City of Princeton Texas, establishing the allocation of funds for the painting of the Monte Carlo elevated storage tank, and authorizing the City Manager to execute the required documents for the construction. Councilmember **Washington made a motion to approve.** Councilmember **Kleiber seconded the motion to approve.** The **motion carried 5-0.**

Mayor Chacón then announced the fifteenth item under the Regular Agenda: **2023-035 Parks & Rec Center:** Discussion and update regarding Parks and Rec Center and possible expansion, requested by Councilmember Washington. **No action taken.**

Mayor Chacón then announced the sixteenth item under the Regular Agenda:

**2023-036 CDC/EDC Bylaws Discussion and staff direction regarding amendments to the bylaws of the City's boards and commissions, requested by Mayor Chacon. Mayor Pro Tempore Deffibaugh made a motion to approve. Council asked that the EDC/CDC bylaws remove the fines if they miss a meeting, and also for special meeting or called meetings to be reduced from 4 to 3 members, and if they miss 3 consecutive meetings or 25% of the term period on any meeting. Councilmember Underwood seconded the motion to approve. The motion carried 5-0.**

Mayor **Chacón** then announced the seventeenth item under the Regular Agenda: **2023-037 Future Agenda Items: Possible action to approve request for items to be placed on a future agenda and NOT for discussion of these requests. Mayor wants an EDC department internally with a full time Director position to help pull it all together.**

Mayor **Chacon** then announced Executive Session. Executive Session: Under terms of Chapter 551 of Texas Government Code the City Council may enter into CLOSED SESSION or Executive Session to discuss 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. **Action pertaining to executive session- No action taken.**

Mayor **Chacon** then announced the Report Agenda: City Manager: **Derek Borg** spoke on the following items:

- 1) Next City Council Meeting, Monday, February 27, 2023, @ 6:30 PM



2) Meal on Wheels-Mondays, Tuesdays, Wednesdays, and Fridays from 10:00 AM - 1:00 PM @ Steven and Judy Deffibaugh Community Center - 416 North 4th Street.

3) CPR/AED and Fire Safety Education Training-Classes are held on the 3rd Thursday of each month from 6:00 PM - 9:00 PM @ the Steven and Judy Deffibaugh Community Center located at 416 N 4th Street.

4) In February we will be hosting another low-cost vaccine, microchip, and adoption event at the municipal center from 10-2. February 25<sup>th</sup>.

5) It's Time Texas, Community Challenge is still going until March 5<sup>th</sup>.

6) On March 18th there will be another movie in the park sponsored by Community Events and the Lois Nelson Library. The event starts at 6:30, and the movie will start around 7:30. The movie is Lyle, Lyle, Crocodile. Held at Princeton Municipal Center, 2000 E. Princeton Drive.


Mayor **Chacon** then announced the City Council reports about items of community interest regarding which no action will be taken. No action taken.

Mayor **Chacon** asked for a motion of adjournment of the meeting.

Councilmember **Underwood** made a motion to adjourn. Mayor Pro Tempore **Deffibaugh** second the motion. The motion carried 5-0. The meeting adjourned at 7:47 p.m.

  
Brianna Chacon, Mayor

ATTEST:

  
Amber Anderson, City Secretary

