



MINUTES

Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, September 12, 2023

Call to Order/ Roll Call.

The meeting was called to order at 6:22 p.m.

Council Members Present:

Mayor David F. Bristol
Mayor Pro-Tem Craig Andres
Deputy Mayor Pro-Tem Marcus E. Ray
Councilmember Amy Bartley
Councilmember Chris Kern
Councilmember Charles Cotton

Council Members Absent:

Councilmember Jeff Hodges

Staff Members Present:

Mario Canizares, Town Manager
Michelle Lewis Sirianni, Town Secretary
Terry Welch, Town Attorney
Bob Scott, Deputy Town Manager
Chuck Ewings, Assistant Town Manager
Robyn Battle, Executive Director
Mary Ann Moon, Economic Development Director
David Hoover, Development Services Director
Hulon Webb, Director of Engineering
Dan Heischman, Assistant Director of Engineering Services
Pete Anaya, Assistant Director of Engineering Services
Chris Landrum, Finance Director
Whitney Rehm, Grants Administrator
Frank Jaromin, Director of Public Works
Leigh Johnson, IT Director
James Edwards, Human Resources Director
Todd Rice, Communications Manager
Kellen Land, Help Desk Technician
Doug Kowalski, Police Chief
Scott Brewer, Assistant Police Chief
Stuart Blasingame, Fire Chief

Invocation, Pledge of Allegiance and Pledge to the Texas Flag.

Jason McConnell with Prosper United Method Church led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

Announcements of recent and upcoming events.

Councilmember Kern made the following announcements:

Thank you to all those who attended Paws on Broadway this past Saturday. A special thanks to the staff and volunteers for their hard work on such a fun event.

Thank you to everyone who attended the annual 9/11 remembrance ceremony held by the Prosper Fire Rescue yesterday. It was a very special remembrance ceremony and memorial honoring those we lost and that were affected by this tragic day.

A new resident mixer is being held by the Town for those who have moved to Prosper in the last six months on Thursday, September 28 from 4:00 to 7:00 p.m. on the south lawn of Town Hall. Residents will get an opportunity to meet staff and their neighbors. There will be entertainment for the kids and refreshments for the family.

National Night Out will be held on Tuesday, October 3 from 6 pm-9 pm. Prosper PD, Prosper ISD PD, Prosper Fire Rescue, and First Responder Volunteers will be driving to neighborhoods that want to participate. Sign up today by visiting www.prosper.tx.gov/nationalnightout.

Join us for "Celebrate Prosper" on Saturday, October 7 at Frontier Park. Come relax outdoors and enjoy entertainment, food and fun with neighbors and friends. This is a free event presented by the Parks and Recreation Department with the support of Sponsors and community partners. For more information, visit the Special Events page under the Parks and Recreation Department.

Registration is now open for the annual Prosper Veterans Day 5K & Fun Run. This event held on Saturday, November 11 is a salute to the men and women who have served in our nation's military. All proceeds benefit the Prosper Veterans Memorial at Frontier Park. Register today by visiting prosper.tx.gov/veteransday5k.

Mayor Bristol thanked the team who put on Freedom Fest for making it an outstanding success.

Presentations.

1. **Presentation of THRIVES coins to members of the Engineering Department for outstanding performance. (DFB)**

Mayor Bristol presented a THRIVES coin(s) to members of the Engineering, Public Works, and the Communications Department for their recent efforts in assuring the First Street Road project was complete prior to the opening of the new high school.

CONSENT AGENDA:

Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda at the request of Council Members or staff.

2. **Consider and act upon the minutes from the August 22, 2023, Town Council Regular meeting. (MLS)**
3. **Consider and act upon the minutes from the August 29, 2023, Town Council Special meeting. (MLS)**
4. **Consider acceptance of the April, May, and June 2023 monthly financial reports. (CL)**
5. **Consider and act upon adopting the FY 2023-2024 Prosper Economic Development Corporation Budget. (MM)**
6. **Consider and act upon adopting Ordinance 2023-59 repealing existing Section I, "Construction Permits and Fees," and Section II, "Reserved," contained in Appendix A, "Fee Schedule," of the Town's Code of Ordinances and replacing**

them with a new Section I, "Engineering Inspection Fees," and a new Section II, "Building Permits/Inspection Fees". (DHeischman)

7. **Consider and act upon a Façade Plan for a Restaurant, on 1.7± acres, located south of Lovers Lane and west of South Preston Road. The property is zoned Planned Development-67 (PD-67) Gates of Prosper. (DEVAPP-23-0129) (DH)**
8. **Consider and act upon whether to direct staff to submit a written notice of appeals on behalf of the Town Council to the Development Services Department, pursuant to Chapter 4, Section 1.5(C)(7) and 1.6(B)(7) of the Town's Zoning Ordinance, regarding action taken by the Planning & Zoning Commission on any Site Plans including Prestonwood Baptist Church and Outback Steakhouse. (DH)**

Mayor Pro-Tem Andres made a motion to approve items 2 through 8. Councilmember Cotten seconded that motion. Motion carried with a 6-0 vote.

CITIZEN COMMENTS

No comments were made.

Items for Individual Consideration:

9. **Conduct a public hearing to receive public input, consider such input, and consider and act upon Ordinance 2023-60 adopting the Fiscal Year (FY) 2023-2024 Annual Operating and Capital Project Funds budgets and five-year Capital Improvement Program for the fiscal year beginning October 1, 2023, and ending September 30, 2024. (RBS/CL)**

Mr. Scott provided a recap of the proposed budget highlighting operating funds, capital projects, revenue sources within the General Fund, and personnel and compensation changes. Mr. Webb outlined capital dedicated projects and construction projects for the proposed upcoming budget year based on the Capital Improvement Subcommittee recommendations.

Mayor Bristol opened the public hearing.

No comments were made.

Mayor Bristol closed the public hearing.

The Town Council discussed reducing debt and monies within the Capital Dedicated Fund in order to reduce the tax rate, as well as opportunities to plan ahead and prioritize future needs.

The Town Council took a brief recess at 7:27 p.m.

The Town Council reconvened back into regular session at 7:38 p.m.

The Town Council had further discussions on the proposed budget and means by which the tax rate could be reduced.

Councilmember Kern made a motion to accept the proposed 2023-2024 budget except to reallocate capital monies back into the capital dedicated fund (Interim Community Center) so that those funds are put towards the retirement of debt in 2024. Deputy Mayor Pro-Tem Ray seconded that motion.

After further discussion, Councilmember Kern withdrew his motion and Deputy Mayor Pro-Tem Ray withdrew his second.

Councilmember Cotten made a motion to approve Ordinance 2023-60 adopting the Fiscal Year (FY) 2023-2024 Annual Operating and Capital Project Funds budgets and five-year Capital Improvement Program for the fiscal year beginning October 1, 2023, and ending September 30, 2024. Councilmember Bartley seconded that motion.

Councilmember Bartley – In Favor
Councilmember Kern – In Favor
Mayor Pro-Tem Andres – In Favor
Councilmember Cotten – In Favor
Deputy Mayor Pro-Tem Ray – In Favor
Mayor Bristol – In Favor

Motion carried with a 6-0 roll call vote.

10. Conduct a public hearing to consider and act upon Ordinance 2023-61 adopting a tax rate of \$0.51 per \$100 valuation for fiscal year 2023-2024. (CL)

Mr. Scott stated same comments apply.

Mayor Bristol opened the public hearing.

No comments were made.

Mayor Bristol closed the public hearing.

Councilmember Cotten made a motion to approve Ordinance 2023-61 adopting the property tax rate be increased by the adoption of a tax rate of \$0.51, which is effectively a 13.8 percent increase in the tax rate. Deputy Mayor Pro-Tem Ray seconded that motion.

Councilmember Cotten – In Favor
Deputy Mayor Pro-Tem Ray – In Favor
Mayor Bristol – In Favor
Mayor Pro-Tem Andres – In Favor
Councilmember Kern – In Favor
Councilmember Bartley – In Favor

Motion carried with a 6-0 roll call vote.

11. Ratifying the property tax increase in the budget for fiscal year (FY) 2023-2024. (CL)

Councilmember Bartley made a motion to ratify the property tax increase in the budget for fiscal year (FY) 2023-2024. Councilmember Cotten seconded that motion. Motion carried with a 6-0 vote.

12. Discuss and consider Town Council Subcommittee reports. (DFB)

Mayor Bristol stated the Legislative Subcommittee met and will be continuing monthly meetings. Mayor Pro-Tem Andres noted that there could be one or two special sessions in the future.

The CIP Subcommittee also met regarding the upcoming fiscal year projects.

Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.

Deputy Mayor Pro-Tem Ray requested an update regarding the areas of Town that will need new landscaping and/or plant materials. Councilmember Bartley added she would also like an update regarding the businesses that need their landscaping fixed.

Councilmember Cotten would like to consider changes to the Sign Ordinance.

EXECUTIVE SESSION:

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

Section 551.087 – To discuss and consider economic development incentives and all matters incident and related thereto.

Section 551.072 – To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.

Section 551.074 – To discuss and consider personnel matters and all matters incident and related thereto.

Section 551.074 - To discuss appointments to the Board of Adjustment/Construction Board of Appeals, Parks & Recreation Board, Library Board, Prosper Economic Development Corporation Board, Planning & Zoning Commission, and the Community Engagement Committee, and all matters incident and related thereto.

The Town Council recessed into Executive Session at 7:59 p.m.

Reconvene in Regular Session and take any action necessary as a result of the Closed Session.

The Town Council reconvened into Regular Session at 8:19 p.m.

Mayor Pro-Tem Andres made a motion to approve a Right-of-Way Dedication Agreement and to ratify the Town Manager's execution and approval of a Right-Of-Way Dedication Agreement between the Town of Prosper, Texas and Godwin Investments Ltd. Councilmember Bartley seconded that motion. Motion carried with a 5-0 vote. Mayor Bristol was not present during the vote.

Adjourn.

The meeting was adjourned at 8:21 p.m.

These minutes were approved on the 26th day of September 2023.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

DRAFT