



MINUTES
Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, June 11, 2024

Call to Order/ Roll Call.

The meeting was called to order at 6:15 p.m.

Council Members Present:

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

Council Members Absent:

Councilmember Jeff Hodges

Staff Members Present:

Mario Canizares, Town Manager
Terry Welch, Town Attorney
Michelle Lewis Sirianni, Town Secretary
Chuck Ewings, Assistant Town Manager
Robyn Battle, Executive Director
Chris Landrum, Finance Director
Whitney Rehm, Budget Officer & Grants Administrator
Hulon Webb, Director of Engineering Services
David Hoover, Development Services Director
Suzanne Porter, Planning Manager
Dan Baker, Parks and Recreation Director
Todd Rice, Communications and Media Relations Manager
Wilson Haynes, Senior Communications Specialist
Mel Knaszak, Communications Specialist
Scott Brewer, Interim Human Resources Director
Doug Kowalski, Police Chief

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

Bo Thompson with Rhea Mills Church led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

Announcements of recent and upcoming events.

Councilmember Reeves made the following announcements:

The annual Pride in the Sky Independence Day Celebration held by Cedarbrook Media will take place on Monday, July 1 at Frontier Park. Festivities begin at 5:00 p.m. and will include live music, Kid Zones, food, games, and fireworks set to music. Come out for a night of celebration and fun.

Registration is open for the Citizens Fire Academy. Classes will run for 10 weeks, every Thursday

evening from 6:30 to 9:00 p.m. starting Thursday, August 1. Residents may register by visiting prospertx.gov/citizensfireacademy. The deadline to register is July 11 with limited space available.

A reminder that Town Hall Offices will be closed on Thursday, July 4 for the Independence Day Holiday. There will be no delay in trash services; Services will run as normally scheduled.

Presentations.

- 1. Recognize the Town's Communication's staff with awards received from the Texas Association of Municipal Information Officers (TAMIO). (TR)**

Mr. Rice introduced the Communications staff and provided an overview of the association. The Town was recognized with two awards for Best Use of a Promo Item for the Prosper Passport created for the Resident Mixer and Best Publication for the newly created Annual Report.

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 May 28, 2024, Town Council Regular meeting. (MLS)**
- 3. Consider and act upon Ordinance 2024-41 renaming Cook Lane between First Street and Prosper Trail to Mike Howard Lane. (HW)**
- 4. Consider and act upon Ordinance 2024-42 amending Article 4.03, "Solicitors and Itinerant Merchants; Handbill Distribution," of Chapter 4, "Business Regulations," of the Town's Code of Ordinances by updating terms and conditions related to door-to-door commercial solicitation in the Town. (TW/DK)**
- 5. Consider and act upon Resolution 2024-45 authorizing the Town Manager, and/or his/her designee, to apply for the FY 2025 Motor Vehicle Crime Prevention Authority SB 224 Catalytic Converter Grants Grant. (DK)**
- 6. Consider and act upon authorizing the Town Manager to execute a renewal agreement with CivicPlus for website hosting services for an initial term of one year in the amount of \$16,990, with annual renewals for three additional years in an amount not to exceed an increase of 5% per year. (RB)**
- 7. Consider and act upon authorizing the Town Manager to execute an Agreement for Professional Services between the Town of Prosper and Olsson Studio related to design of monumentation in Downtown Prosper for an amount not to exceed \$66,500. (RB)**
- 8. Consider and act upon approval of a supplemental BuyBoard Contract Purchase Order with GameTime c/o Cunningham Recreation to cover cost increases in the amount of \$43,511 for an amount not to exceed \$173,625 related to playground installation at Lakewood Park. (DB)**
- 9. Consider and act upon authorizing the Town Manager to execute a License, Maintenance & Hold Harmless Agreement between Pettis Real Estate, LLC, and the Town of Prosper relative to Bryant's First Addition, Block 1, Lots 12-14. (DH)**

10. **Consider and act upon Ordinance 2024-43 to rezone 47.0± acres from Planned Development-75 to a Planned Development for Multifamily and Mixed-Use, located at the northwest corner of Dallas Parkway and Prosper Trail. (ZONE-24-0001) (DH)**
11. **Consider and act upon authorizing the Town Manager to execute a Development Agreement between Prosper Tollway Avenues 35, L.P., and the Town of Prosper relative to Prosper Arts District. (DH)**
12. **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 Preliminary Site Plans and Site Plans. (DH)**

Deputy Mayor Pro-Tem Bartley requested to pull items 7 and 8.

Councilmember Kern requested to pull items 10 and 11.

Mayor Pro-Tem Ray made a motion to approve items 2 through 6, 9 and 12. Deputy Mayor Pro-Tem Bartley seconded the motion. Motion carried with a 6-0 vote.

Ms. Battle presented an overview of item 7 which included the number of proposals received and the process of selection, the scope of services within the agreement, what each phase entailed, a timeline of completion, and the next steps. The Downtown Advisory Committee recommended approval. Staff recommends approval.

Deputy Mayor Pro-Tem Bartley asked for clarification within the scope of the agreement regarding the renderings/models and if the final meeting could be done in person versus virtually.

Deputy Mayor Pro-Tem Bartley made a motion to approve item 7 as presented. Councilmember Andres seconded the motion. Motion carried with a 6-0 vote.

Mr. Baker provided an overview of item 8 explaining the cost increases for the park.

Deputy Mayor Pro-Tem Bartley expressed her concern that the cost increases were occurring due to the delay in the construction of the park. Councilmember Kern asked about the total funding for the project including contingencies.

Deputy Mayor Pro-Tem Bartley made a motion to approve item 8 as presented. Councilmember Reeves seconded the motion. Motion carried with a 6-0 vote.

Deputy Mayor Pro-Tem Bartley made a motion to approve items 10 and 11 as presented. Mayor Pro-Tem Ray seconded the motion. Motion carried with a 5-1 vote. Councilmember Kern voted in opposition.

CITIZEN COMMENTS

No comments were made.

Items for Individual Consideration:

13. **Conduct a public hearing to consider and act upon Ordinance 2024-44 amending Chapter 3, Sections 1 and 2, of the Town of Prosper Zoning Ordinance to add Commercial Drone Delivery Hub use, standards, and definitions. (ZONE-24-0010) (DH)**

Mr. Hoover stated the proposed ordinance will add Commercial Drone Delivery Hubs to the Zoning Ordinance, which will be allowed with a Special Use Permit (SUP) in the Commercial Corridor and Industrial districts when certain requirements are met. The ordinance limits the location of the HUB's while placing additional requirements. Mr. Hoover noted that if there is any conflict between the ordinance and any state or federal law regulation, the state or federal law regulation shall apply. The Planning and Zoning Commission recommended approval. Staff recommends approval.

Councilmember Andres asked if there were concerns about use in high-traffic areas.

The Town Attorney added that there is a provision for safety and site-specific standards.

Mayor Bristol opened the public hearing.

No comments were made.

Mayor Bristol closed the public hearing.

Councilmember Reeves made a motion to approve Ordinance 2024-44 amending Chapter 3, Sections 1 and 2, of the Town of Prosper Zoning Ordinance to add Commercial Drone Delivery Hub use, standards, and definitions. Mayor Pro-Tem Ray seconded the motion. Motion carried with a 6-0 vote.

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

Legislative Subcommittee: Ms. Battle noted the subcommittee discussed the House interim charges that were recently issued, updating the Town's 2025 Legislative agenda, an overview of a regional meeting attended in Denton, and that Mayor Bristol would be serving at the TML Policy Summit in August. The subcommittee is set to meet again in August.

Downtown Subcommittee: Councilmember Kern noted they discussed the monumentation design and the winner for the Downtown logo design, which will be presented at an upcoming meeting.

CEC Subcommittee: Mayor Pro-Tem Ray noted they discussed upcoming events including Celebrate Prosper and the Resident Mixer.

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

Mayor Bristol requested an update on the maintenance of Parvin Road with the City of Celina.

Deputy Mayor Pro-Tem Bartley requested an update on the status of completing the landscaping within the medians.

Mayor Pro-Tem Ray requested staff to assess the high grass and trash along US 380 including the areas near the on/off ramps, next to the golf course along Prosper Trail, and lots under development.

Councilmember Andres requested that a strategy be proposed for the maintenance of Coit Road north of Prosper Trail to Frontier Parkway.

Mayor Bristol requested a certificate of appreciation to be presented to Mario Sinacola for their efforts in the repair of Coit Road from the severe storms.

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 the 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.

The Town Council recessed into Executive Session at 7:05 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 8:10 p.m.

Mayor Pro-Tem Ray made a motion to approve authorizing the Town Manager to enter into a Neighborhood Empowerment Zone Agreement with Broadway Retail Partners for reimbursement of Town property taxes for properties at 350 and 370 W. Broadway Street. Councilmember Reeves seconded the motion. Motion carried with a 5-0 vote. Councilmember Andres was not present during the vote.

Adjourn.

The meeting was adjourned at 8:11 p.m.

These minutes were approved on the 25th day of June 2024.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary