



MINUTES

Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, March 28, 2023

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 Jeff Hodges
Councilmember Marcus E. Ray
Councilmember Amy Bartley
Councilmember Chris Kern
Councilmember Charles Cotton

Council Members Absent:

Deputy Mayor Pro-Tem Craig Andres

Staff Members Present:

Mario Canizares, Town Manager
Michelle Lewis Sirianni, Town Secretary
Terry Welch, Town Attorney
Bob Scott, Executive Director of Administrative Services
Chuck Ewings, Executive Director of Development and Infrastructure Services
Hulon Webb, Engineering Director
Chris Landrum, Finance Director
Ryan Patterson, Assistant Finance Director
Dan Baker, Parks and Recreation Director
Frank Jaromin, Public Works Director
Brady Cudd, Building Official
Todd Rice, Communications Manager
Jessika Hotchkin, Help Desk Technician/Broadband Support
Mary Ann Moon, Economic Development Executive Director
Stuart Blasingame, Fire Chief
Doug Kowalski, Police Chief

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

Councilmember Ray 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:

The Discover Downtown Series kicks off this Friday, March 31 with a Moonlight Movie. Bring the family to Downtown Prosper for fun, games, popcorn, and to watch Sonic the Hedgehog 2, an action-adventure comedy film. Fun begins at 7:00 p.m. Parking will be on the north side of Town Hall with the movie beginning at dusk.

Join Mayor David Bristol along with your community in the newly expanded Mayor's Fitness Challenge! The annual Challenge will run the full year, beginning with the Spring Season, to

encourage wellness as a Prosper lifestyle. Challengers who submit a completed tracking sheet by June 9 will earn a t-shirt and entry into the drawing for the top seasonal prize, Bluetooth earbuds along with other prizes and giveaways. Register today by visiting prosper.tx.gov/mayorsfitnesschallenge.

Residents who have moved to Prosper since August 2022 are invited to our New Resident Mixer on Thursday, April 6, 2023, from 6:00 to 8:00 p.m. Please join us for an evening of family-friendly fun with entertainment and refreshments as you meet new neighbors and Town staff. Booths will be set up on the South Lawn of Town Hall with information about Town services. We look forward to meeting you!

Reminder that Town Hall Offices will be closed Friday, April 7 for the Good Friday Holiday. Trash and recycling services will run as normally scheduled.

Councilmembers Ray, Bartley, and Mayor Pro-Tem Hodges presented Frank Jaromin with a THRIVES coin.

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 by the request of Council Members or staff.

1. **Consider and act upon the minutes from the March 14, 2023, Town Council Work Session meeting. (MLS)**
2. **Consider and act upon the minutes from the March 14, 2023, Town Council Regular meeting. (MLS)**
3. **Consider and act upon the minutes from the March 20, 2023, Town Council Work Session meeting. (MLS)**
4. **Consider and act upon Resolution 2023-29 awarding the depository services contract to Independent Financial and authorizing the Town Manager to execute all documents for same. (CL)**
5. **Consider and act upon approving funding for expenses of scheduled and unscheduled maintenance and repairs by Siddons-Martin Emergency Group, LLC to fire department apparatus including fire engines and aerial trucks. (SB)**
6. **Consider and act upon approving the purchase of water and wastewater materials from Ferguson Enterprises, LLC, utilizing BuyBoard contracts; and authorizing the Town Manager to execute documents for the same. (FJ)**
7. **Consider and act upon approving the purchase of one 2023 Chevrolet Silverado 2500HD for Facilities Management from Enterprise Fleet Management utilizing The Interlocal Purchasing System (TIPS); and authorizing the Town Manager to execute the same. (JC)**
8. **Consider and act upon approving the purchase of two 2023 Chevrolet Tahoe's and for the Police Department from Enterprise Fleet Management utilizing The Interlocal Purchasing System (TIPS); and authorizing the Town Manager to execute the same. (JC)**

9. Consider and act upon approval of Change Order #3 related to construction services for the Hays Park Project (1802-PK) to Ratliff Hardscape, Ltd., and authorizing the Town Manager to execute the same. (DB)
10. Consider and act upon Resolution 2023-30 authorizing the Town Manager to execute an Advance Funding Agreement between the Texas Department of Transportation (TxDOT), and the Town of Prosper, Texas, related to the design and construction funding of the Preston Road (SH 289) and First Street Dual Left Turn Lanes project. (HW)
11. Consider and act upon approving Resolution 2023-27 supporting U.S. Highway 380 as a Controlled Access Highway within the corporate limits of the Town of Prosper, in accordance with recommendations by the Texas Department of Transportation in its December 2022 Draft Environmental Impact Statement for U.S. Highway 380 from Coit Road to FM 1827, and January 2023 Draft Environmental Assessment for U.S. Highway 380 from Teel Parkway to Lakewood Drive; acknowledging the preferred alignment of the future expansion of U.S. Highway 380 within the corporate limits of the Town is consistent with the Town's Thoroughfare Plan; requesting that the Texas Department of Transportation's final Environmental Impact Statement and Environmental Assessment reflect the alignment of U.S. Highway 380 within the corporate limits of the Town of Prosper as recommended; and authorize the Mayor to submit comments to the Texas Department of Transportation on the Draft Environmental Impact Statement and/or Draft Environmental Assessment. (HW)
12. Consider and act upon Ordinance 2023-31 establishing a no parking zone on Foxfield Court. (HW)

Mayor Bristol requested to pull item 9.

Mayor Pro-Tem Hodges made a motion to approve consent agenda items 1 through 8 and 10 through 12. Councilmember Ray seconded that motion, and the motion was unanimously approved.

Mr. Baker provided an overview of the work being requested and cost associated through the Change Order in item 9.

The Town Council discussed the design of the park, current drainage issues, costs associated for the improvements, and ultimately who should be responsible for the improvements.

Councilmember Ray made a motion to table item 9 to a future meeting date. Councilmember Cotten seconded that motion, and the motion was unanimously approved.

CITIZEN COMMENTS

Toni Wengler, 1240 Packsaddle, spoke to the Town Council regarding the importance of visual arts and requested the Town Council to formally consider a Public Arts Board.

Items for Individual Consideration:

13. Consider and act upon Ordinance 2023-32 adopting a Special Purpose Sign District for the Gates of Prosper, Phase 2 and Phase 3, on 52.1± acres, located on the northwest corner of US 380 and Preston Road. (MISC-23-0001) (BC)

Mr. Cudd provided an overview of the history of the Special Purpose Sign District for Phase 1 of the Gates of Prosper, as well as what is being requested for Phase 2 and 3. The first is to allow for unified development signs, monument signs that are consistent with existing signs in Phase 1, and to permit six wall signs to exceed maximum height requirement for the big box retailer that is situated along US 380. Town staff is recommending approval.

Councilmember Cotten expressed his concern for the number of signs on buildings and temporary signs on the existing project that he would like to be removed once projects are fully developed.

Nicholas Link with Blue Star Land commented that he can address the temporary signs with the developer.

Members of Council agreed with Councilmember Cotten and requested a review of the sign ordinance.

Councilmember Cotton made a motion to approve an Ordinance 2023-32 adopting a Special Purpose Sign District for the Gates of Prosper, Phase 2 and Phase 3, on 52.1± acres, located on the northwest corner of US 380 and Preston Road. Mayor Pro-Tem Hodges seconded that motion, and the motion was unanimously approved.

14. Consider and act upon Resolution 2023-33 accepting the Independent Audit Report and Annual Comprehensive Financial Report for the Fiscal Year Ended September 30, 2022, as audited by Weaver and Tidwell LLP, Certified Public Accountants. (RBS)

Mr. Scott stated that the auditors must make certain required communications to those in charge of governance. These communications have been made to the Finance Sub-Committee and copies have been distributed to the Council. Staff is requesting acceptance of the audit as presented.

Councilmember Ray made a motion to approve a Resolution 2023-33 accepting the Independent Audit Report and Annual Comprehensive Financial Report for the Fiscal Year Ended September 30, 2022, as audited by Weaver and Tidwell LLP, Certified Public Accountants. Councilmember Cotten seconded that motion, and the motion was unanimously approved.

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

Councilmember Kern requested for the timing of the light signalization to be checked at First Street and the tollway due to backup since the opening of the overpass.

Mayor Bristol requested a list of items and their status requested thus far.

Councilmember Cotten requested a discussion on tournaments for Parks and Recreation.

Mayor Pro-Tem Hodges requested for staff to monitor the traffic pattern on First Street into Andy's due to the number of cars and blocking entrance into CVS.

Councilmember Bartley requested for staff to schedule a meeting for the Capital Subcommittee, and to revisit the five-to-ten-year plan(s).

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 551.071 - Consultation with the Town Attorney regarding pending and anticipated litigation regarding zoning and International Fire Code 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 7:04 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 7:53 p.m.

Mayor Pro-Tem Hodges made a motion to appoint Glen Blanscet to the Planning and Zoning Commission. Councilmember Cotten seconded that motion, and the motion unanimously passed.

Adjourn.

The meeting was adjourned at 7:54 p.m.

These minutes approved on the 11th day of April 2023.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary