



MINUTES
Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, October 22, 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 Jeff Hodges
Councilmember Cameron Reeves

Staff Members Present:

Mario Canizares, Town Manager
Terry Welch, Town Attorney
Michelle Lewis Sirianni, Town Secretary
Bob Scott, Deputy Town Manager
Chuck Ewings, Assistant Town Manager
Robyn Battle, Executive Director
Mary Ann Moon, EDC Executive Director
Chris Landrum, Finance Director
Whitney Rehm, Budget Officer & Grants Administrator
David Hoover, Development Services Director
Suzanne Porter, Planning Manager
Hulon Webb, Engineering Director
Dan Heischman, Assistant Engineering Director – Development
Leigh Johnson, IT Director
Dan Baker, Parks & Recreation Director
Carrie Jones, Public Works Director
Todd Rice, Communications Director
Doug Kowalski, Police Chief
Scott Brewer, Assistant Police Chief
Aidan Daily, Police Crime Analyst
Stuart Blasingame, Fire Chief
Shaw Eft, Assistant Fire Chief

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

Mike Martin with Hope Fellowship led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were led by Girl Scout Troop 589.

Announcements of recent and upcoming events.

Councilmember Reeves made the following announcements:

Join the Prosper Community Library on Monday, October 28 from 6:00 to 7:00 p.m. for a Trick or Treat event designed especially for children with special needs and their families. Staff will provide non-food items on both floors of the library. Wheelchairs are welcome with the use of the elevator, and costumes are not mandatory. The event is open to all ages.

Join the Town for its annual Arbor Day Celebration on Friday, November 1, at 5:00 p.m. at Frontier Park. The Parks Operations staff will demonstrate proper planting techniques and plant care and feeding. Thank you to Day Star Landscapes for sponsoring this year's event.

Join us on Saturday, November 9 for the annual Prosper Veterans Day Honor Run, as we salute the men and women who have served in our nation's military. This year the event includes a 5K, a 10K, and a fun run. Events are open to runners and walkers of all ages. All proceeds benefit the Prosper Veterans Memorial at Frontier Park. Register today by visiting prospertx.gov/veteransday5k.

Early Voting for the November General Election is now taking place and runs through Friday, November 1. Voting dates, hours, and designated locations may be found on the Town's website at prospertx.gov/vote or by visiting the Collin County and Denton County Elections websites.

Mayor Bristol announced the Battle of the Badges will take place Saturday at Prosper High School and will benefit local children's hospital

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.

1. **Consider and act upon the minutes from the October 8, 2024, Town Council Work Session meeting. (MLS)**
2. **Consider and act upon the minutes from the October 8, 2024, Town Council Regular meeting. (MLS)**
3. **Consider and act upon Resolution 2024-67 adopting the Town of Prosper 2025 Legislative Agenda. (RB)**
4. **Consider and act upon Resolution 2024-68 authorizing the Town Manager, and/or his/her designee, to apply for the Office of the Governor, FY2025 Rifle-Resistant Body Armor Grant Program and consider and act upon authorizing the Town Manager, and/or his/her designee, to accept the Office of the Governor, FY2025 Rifle-Resistant Body Armor Grant Program upon award. (DK)**
5. **Consider and act upon Resolution 2024-69 authorizing the Town Manager, and/or his/her designee, to apply for the Office of the Governor, FY2025 Criminal Justice Division Program for Victim Assistance, General Direct Services Grant Program and consider and act upon authorizing the Town Manager, and/or his/her designee, to accept the Office of the Governor, FY2025 Criminal Justice Division Program for Victim Assistance, General Direct Services Grant Program upon award. (DK)**
6. **Consider and act upon approving the purchase of mobile and portable radios through the Texas Department of Information Resources (DIR) Contract #22198-TX DIR TSO-4101 for \$91,626. (SB)**
7. **Consider and act upon approving the purchase of two 2024 Ford F150 Trucks and one Ford F250 Truck for \$175,186 from Silsbee Ford, utilizing the Interlocal Purchasing System (TIPS) Contract No.210907. (SB)**

8. **Consider and act upon approving the purchase of water meters from Core & Main for \$566,625 and authorizing the Town Manager to execute the same. (CJ)**
9. **Consider and act upon approving the purchase of two (2) 2025 Ford F-450 Crew Cab trucks for \$172,071 for Public Works from Silsbee Ford utilizing The Interlocal Purchasing Systems (TIPS) Contract. (CJ)**
10. **Consider and act upon approving the purchase of one 2025 Ford F250 Truck and one 2025 Ford F550 Truck with enclosed cab for \$178,294 from Silsbee Ford, utilizing the Interlocal Purchasing System (TIPS) Contract No. 210907. (DB)**

Councilmember Reeves requested to pull item 8.

Councilmember Hodges motioned to approve consent agenda items 1 through 7, 9, and 10. Mayor Pro-Tem Ray seconded the motion. Motion carried unanimously.

Item 8, Councilmember Reeves asked about the process of the meter switchouts and valuation of aging meters. Ms. Jones commented that staff regularly monitor and test meters, taking a proactive approach.

Councilmember Reeves made a motion to approve item 8. Deputy Mayor Pro-Bartley seconded the motion. Motion carried unanimously.

CITIZEN COMMENTS

Shiven Shah, 541 Travis Lane, invited the Town Council and residents to attend the Diwali Festival being held on Saturday, November 2.

Items for Individual Consideration:

11. **Conduct a public hearing and consider and act upon a request to amend Planned Development-59 on Twin Creeks Ranch, Phases 1-2, on 40.9± acres, to accommodate the reconfiguration of the wall and the landscaping between the subdivision and Frontier Parkway. (ZONE-24-0011) (DH)**

Mr. Hoover presented the item stating the purpose of the request is to amend the Planned Development (PD) for an existing screening wall to remain in place due to the taking of additional right-of-way. The developer constructed the screening wall anticipating that the required landscaping would be between the wall and Frontier Parkway. If the taking of the additional right-of-way hadn't occurred, the screening wall would be in the correct location. However, the situation has instead resulted in the elimination of the required landscape area between the screening wall and Frontier Parkway. Due to the screening wall being 85% complete, the developer is requesting to amend the PD to allow it to remain in its current location. The Planning and Zoning Commission unanimously recommended approval and staff is recommending approval.

The Town Council discussed the setbacks from the road to the fence line, the timing of the notification for additional right-of-way by TxDOT, and landscape materials.

Mayor Bristol opened the public hearing.

No comments were made.

Mayor Bristol closed the public hearing.

The applicants and developers of the subdivision spoke about the timing of the notification from TxDOT for the additional right-of-way, the placement of the fence, and the current landscaping maintenance policy established for the property.

The Council continued discussing the permit process, location of the wall, setbacks, and maintenance of landscape materials along the screening wall.

Mayor Pro-Tem made a motion to approve a request to amend Planned Development-59 on Twin Creeks Ranch, Phases 1-2, on 40.9± acres, to accommodate the reconfiguration of the wall and the landscaping between the subdivision and Frontier Parkway adjusting the shrubs to the front. Councilmember Hodges seconded the motion. Motion carried with a 6-1 vote. Deputy Mayor Pro-Tem Bartley voted in opposition.

12. Consider and act upon approving a Guaranteed Maximum Price (GMP) Amendment between Pogue Construction Co., L.P., and the Town of Prosper, related to the Fire Station 4 project for \$11,610,004 with a total project cost not to exceed \$13,814,000. (SB)

Chief Blasingame presented the item providing a background of the project to date. The GMP excludes the extension of the natural gas line, as CoServ plans to begin extending the line in February 2025. However, if CoServ should not complete it as planned, any additional costs will be covered under Other Development Costs.

The Town Council discussed the timing and anticipated completion date of February 2026.

Councilmember Kern made a motion to approve a Guaranteed Maximum Price (GMP) Amendment between Pogue Construction Co., L.P., and the Town of Prosper, related to the Fire Station 4 project for \$11,610,004 with a total project cost not to exceed \$13,814,000. Councilmember Andres seconded the motion. Motion carried unanimously.

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

Downtown Advisory Committee: Mayor Pro-Tem Ray commented that the pathway from Town Hall to Downtown will be stained to provide a visual leading citizens into Downtown, and the committee is working on having audio that will play music, etc., outside.

Bond Committee: Staff met with the Chair of the committee and Council liaisons to discuss the timeline process.

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

No comments were made.

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 - To consult with the Town Attorney regarding legal issues associated with code enforcement activities and substandard structures, and all matters incident and related thereto.

The Town Council recessed into Executive Session at 7:25 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 8:57 p.m.

No action was taken.

Adjourn.

The meeting was adjourned at 8:58 p.m.

These minutes were approved on the 12th day of November 2024.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary