



MINUTES
Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, November 12, 2024

Call to Order/ Roll Call.

The meeting was called to order at 6:21 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
Leigh Johnson, IT Director
Harold Keith, IT Manager
Dan Baker, Parks & Recreation Director
Carrie Jones, Public Works Director
Todd Rice, Communications Director
Doug Kowalski, Police Chief
Aidan Daily, Police Crime Analyst
Stuart Blasingame, Fire Chief

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

Joshua Reeve with The Cause Church led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were led by Brownie Girl Scout Troop 5817.

Announcements of recent and upcoming events.

Councilmember Reeves made the following announcements:

Thank you to approximately the 428 participants that took part in this year's Veteran's Day 5K, 10K, and Fun Run. A special thank you to all the volunteers and those who helped make this a fun event for all.

The community is invited to the grand opening of Lakewood Park on Tuesday, November 19 at 10 am for the ribbon cutting ceremony. The ceremony will take place on the basketball court and is located at 621 S. Coit Road.

Reminder that Town Hall Offices will be closed on Thursday, November 28 and Friday, November 29 for the Thanksgiving Holiday. Due to the holiday, residents whose trash service falls on Thursday or Friday will be delayed by one day. The special bulk drop off location at Public Works will also be closed on Saturday, November 30.

The Prosper Community Library will close at 4:00 p.m. on Wednesday, November 27 and be closed on Thursday, November 28 through Saturday, November 30 for the Thanksgiving Holiday.

The Prosper annual Christmas Festival will take place on Saturday, December 7 at Prosper Town Hall. Come experience the magic of Santa Claus in his Workshop, the Kids Christmas Shoppe, dazzling exhibits, Kids Fun Zone, Community Stage performances, carriage rides, live demonstrations, and food truck vendors. Also, don't miss out on the Prosper Rotary Club Christmas Parade at 2:30 p.m., and the Tree Lighting with Mayor Bristol at 7:00 p.m. For more information visit the Special Events page through the Parks & Recreation Department.

Mayor Bristol echoed his appreciation to all those who volunteered and supported the Veteran's Day Honor Run.

Presentations.

- 1. Proclamation recognizing November 18, 2024, as National Injury Prevention Day. (MLS)**

Mayor Bristol read and presented a Proclamation to members of the Cook Children's Center for Community Health.

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 October 22, 2024, Town Council Work Session meeting. (MLS)**
- 3. Consider and act upon the minutes from the October 22, 2024, Town Council Regular meeting. (MLS)**
- 4. Consider and act upon Resolution 2024-70 casting the Town of Prosper's votes for the Collin County Central Appraisal District Board of Directors (CCAD). (MLS)**
- 5. Consider and act upon Resolution 2024-71 accepting and approving the 2024 Tax Roll. (CL)**
- 6. Consider and act upon Ordinance 2024-72 adding a new Section 12.05.039, "Prosper Trail," to Division 2, "No-Parking Zones," of Article 12.05, "Parking, Stopping and Standing," of Chapter 12, "Traffic and Vehicles," of the Town's Code of Ordinances generally prohibiting the parking, standing or stopping of vehicles along Prosper Trail, from the Dallas North Tollway to Custer Road. (TW)**
- 7. Consider and act upon Ordinance 2024-73 repealing existing Section 12.01.003,"Engine (Jake) Brakes," of Chapter 12, "Traffic and Vehicles," of the**

- Town's Code of Ordinances and replacing it with a new Section 12.01.003, "Engine (Jake) Brakes," relative to the prohibition of engine or jake braking in the Town; and amending Article 12.01, "General Provisions," of Chapter 12, "Traffic and Vehicles," of the Town's Code of Ordinances by adding a new Section 12.01.004, Motor Vehicle Idling," generally relating to the prohibition of the idling of motor vehicles in the Town. (TW)
8. Consider and act upon approving the purchase of five (5) 2025 Ford trucks for Public Works from Silsbee Ford utilizing The Interlocal Purchasing Systems (TIPS) Contract No. 210907 for \$356,820. (CJ)
 9. Consider and act upon the purchase of one (1) Green Equipment Crawler Camera and one (1) John Deere 310P Tractor utilizing Sourcewell Contract Number 011723-JDC and BuyBoard Contract 676-22 totaling \$233,128. (CJ)
 10. Consider and act upon approving the purchase of meter transmission units (MTUs) for the use with water meters from Aclara Technologies, LLC, for \$165,186. (CJ)
 11. Consider and act upon approving an agreement with URETEK USA for repairs to the westbound lanes of Prosper Trail from Mike Howard Way to Dallas Pkwy for \$283,500. (CJ)
 12. Consider and act upon an annual fixed-price agreement for the purchase of Hydrogen Sulfide Odor Control Technology for the Town's wastewater system, at the unit prices guaranteed, from Helix Laboratories, Inc., a sole source provider for \$243,512. (CJ)
 13. Consider and act upon approving the purchase from Axon Enterprise, Inc. for tasers and associated supplies utilizing BuyBoard Contract #698-23 for \$70,742. (DK)
 14. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between GEOTEX Engineering, and the Town of Prosper, Texas, related to construction materials testing for Fire Station 4 with a cost not to exceed \$78,787. (SB)
 15. Consider and authorize the purchase of an emergency stand-by generator for Fire Station No. 3 for \$87,113. (CE)
 16. Consider and act upon authorizing the Town Manager to execute an agreement with DAC, Inc. to upgrade fire and security systems for Fire Station No. 3 for \$67,904. (CE)
 17. Consider and act upon approving the renewal of an Enterprise License Agreement for term license software between Environmental Systems Research Institute, Inc., a sole source provider, and the Town of Prosper, Texas; and authorizing the Town Manager to execute an agreement for \$142,029. (LJ)
 18. 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 item 18.

Councilmember Andres left the dais.

Deputy Mayor Pro-Tem Bartley motioned to approve consent agenda items 2 through 17. Mayor Pro-Tem Ray seconded the motion. Motion carried with a 6-0 vote.

Item 18, Deputy Mayor Pro-Tem Bartley expressed concerns of the Site Plan being presented as a multi-tenant versus one large store, the types of landscape buffers that would be required, and making applicant aware of the Town's landscape maintenance requirements. Mayor Bristol noted how parking ratios would be affected based on type of tenants.

Deputy Mayor Pro-Tem Bartley made a motion to approve item 18. Councilmember Reeves seconded the motion. Motion carried with a 6-0 vote.

Councilmember Andres returned to the dais.

CITIZEN COMMENTS

No comments were made.

Items for Individual Consideration:

19. Consider an appeal to the requirements of the Town of Prosper Fence Regulations permitting alternate fence materials at 980 English Ivy. (CE)

Mr. Ewings presented the item stating the Town's current fence regulations, timeline of the request, and the requirements by the HOA. The property owner is seeking relief from these requirements and appealing to the Town Council to allow the alternate fence materials.

Ms. East, property owner, stated her case to the Town Council noting the current sound of the traffic from her back yard. She stated she has an autistic child that is sensitive to sound and the screening helps aid in privacy, noise, and keeping trash out since she backs up to a major six-lane road. Ms. East noted her conversations with the HOA regarding a sound barrier that TxDOT will construct. However, due to the construction, there is no time frame on when this will occur. She is requesting an appeal to work on finding a temporary solution due to the location of her back yard and situation.

Mayor Bristol noted the Town Council will take the request under consideration and advise at a later date.

20. Consider and act upon authorizing the Town Manager to enter into a second contract amendment with Republic Services to convert to once-a-week residential bulk pick-up and to approve a revised fee schedule effective February 1, 2025, adjusting commercial and residential prices for the twelve-month CPI change. (CL)

Mr. Landrum presented the item providing an overview of the contract amendments including the service enhancements of adding bulk pick-up weekly versus monthly with no reduction in the Saturday drop-off services, changing the effective date to February, and cart replacement fees.

Mayor Bristol asked how many residential pick-ups are currently serviced and how many staff members work the Saturday bulk drop off. Mr. Landrum noted approximately 13,000 residences and Ms. Jones noted there are usually two (2) streets employees and one to two individuals from Republic.

Mayor Pro-Tem Ray made a motion to authorize the Town Manager to enter into Contract Amendment No. 2 with Republic Waste Services enacting the contractually required adjustment for changes in CPI and increasing residential bulk pick up to weekly. Councilmember Hodges seconded the motion. Motion carried with a 6-1 vote, with Mayor Bristol voting in opposition.

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

Downtown Advisory Committee: Councilmember Kern noted the committee is working on reestablishing goals, coordinating on a project with the EDC, are going to once a month meetings, and brainstorming ideas/potential projects.

Community Engagement Committee: Deputy Mayor Pro-Tem Bartley noted the committee is evaluating events with the Parks Board for the 2025 year, looking to possibly hold a joint meeting with the Parks and Recreation Board, and brainstorming an ongoing website page to serve all volunteer opportunities within the Town.

Capital Improvements Committee: Councilmember Reeves noted the committee discussed various projects including Raymond Community Park, Collin County grant funding opportunities, Prosper Trail screening/landscaping, median improvements, the needs assessment for the Police Department, and CMAR for the Parks and Public Works facility.

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 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.

Section 551.071 - To consult with the Town Attorney regarding legal issues associated with code enforcement activities and substandard structures, law enforcement activities, and all matters incident and related thereto.

Section 551.071 - To consult with the Town Attorney regarding legal issues associated with Article 3.19 of the Code of Ordinances, and all matters incident and related thereto.

The Town Council recessed into Executive Session at 7:14 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 8:40 p.m.

Deputy Mayor Pro-Tem Bartley made a motion to authorize the Town Attorney to institute litigation pursuant to Chapter 54 of the Local Government Code for the property located at 215 W. Broadway in the Town, and to take all necessary actions incident and related thereto. Councilmember Kern seconded the motion. Motion carried unanimously.

Deputy Mayor Pro-Tem Bartley made a motion to authorize the Town Manager to execute documentation for the purchase of Bryant's First Addition, Block 3, Lots 3-6, pursuant to the terms discussed in closed session. Councilmember Reeves seconded the motion. Motion carried unanimously.

Mayor Pro-Tem Ray left the dais.

Deputy Mayor Pro-Tem Bartley made a motion to authorize the Town Manager to execute documentation for the purchase of a 0.0803 acre tract of land located on the south line of W. Broadway Street, pursuant to the terms discussed in closed session. Councilmember Andres seconded the motion. Motion carried with a 6-0 vote.

Adjourn.

The meeting was adjourned at 8:42 p.m.

These minutes were approved on the 26th day of November 2024.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary