



MINUTES

Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, January 28, 2025

Call to Order/ Roll Call.

The meeting was called to order at 6:17 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
David Hoover, Development Services Director
Suzanne Porter, Planning Manager
Skyler Sparks, Help Desk Technician I
Dan Baker, Parks & Recreation Director
Kurt Beilharz, Assistant Parks & Recreation Director
Trevor Helton, Recreation Manager
Hulon Webb, Engineering Director
Pete Anaya, Assistant Engineering Director, Capital Projects
Gary Landeck, Library Director
Chris Landrum, Finance Director
Carrie Jones, Public Works Director
Todd Rice, Communications Director
Doug Kowalski, Police Chief

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

Brad Wilkerson with Rock Creek 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:

Join us on Saturday, February 22 from 9 to 11 a.m. for the Prosper Fishing Derby at the Frontier Park Pond. This favorite annual event brings families together by the pond as young anglers compete for the Most Fish Caught prizes. Judges will be on hand to track catches, and winners are recognized for children ages 14 and under. The Derby is free, and no registration is required. For more information, visit prosper.tx.gov/specialevents.

Registration is now open for spring camps and classes, which the Parks and Recreation Department offers from March through May. Explore all the offerings at prosper.tx.gov/programs.

Deputy Mayor Pro-Tem Bartley introduced Trisha Panicker, a PISD student in the Career Study program learning about local government.

Mayor Bristol acknowledged Michelle Bishop, District Director for Congressman Self's Office who was in attendance.

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 January 14, 2025, Town Council Work Session meeting. (MLS)**
2. **Consider and act upon the minutes from the January 14, 2025, Town Council Regular meeting. (MLS)**
3. **Consider and act upon the minutes from the January 16, 2025, Town Council and EDC Joint Work Session meeting. (MLS)**
4. **Consider and act upon approval of a Professional Services Agreement with Can Do Racquet Sports for recreation program instructor services. (TH)**
5. **Consider and act upon approving a Professional Services Agreement between Kimley Horn and the Town of Prosper, Texas, for design services and preparation of a Master Plan for the Doe Branch Community Park property (Project #PK202513) for an amount not to exceed \$134,600; and authorizing the Town Manager to execute documents for the same. (DB)**
6. **Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Kleinfelder, Inc., and the Town of Prosper, Texas, related to professional construction materials testing and observation services for the Upper Doe Branch Wastewater Line project for \$113,115. (PA)**
7. **Consider and act upon authorizing the Town Manager to execute a Construction Agreement awarding CSP No. 2025-04-B to Quality Excavation, LLC, related to the Wilson Creek Wastewater Line project, for \$263,134 and authorize \$10,000 for construction phase contingencies. The total purchase order amount is \$273,134. (PA)**
8. **Consider and act upon approving the purchase of one (1) 2025 Ford Interceptor for \$49,508 from Silsbee Ford utilizing TIPS Contract 240901 and six (6) 2025 Chevrolet Tahoe's from Reliable Chevrolet for \$302,358 utilizing the Sheriff's Association of Texas Contract. (DK)**
9. **Consider and act upon Ordinance 2025-02 repealing Section 12.08.006 of Chapter 12 Article 12.08, "Truck Routes," of the Code of Ordinances regarding the prohibition of commercial vehicles on certain streets and renumbering remaining sections of Article 12.08. (TW)**
10. **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 10.

Mayor Pro-Tem Ray requested to pull item 6.

Councilmember Kern moved to approve consent agenda items 1 through 5 and 7 through 9. Councilmember Hodges seconded the motion. Motion carried unanimously.

Regarding item 6, Mayor Pro-Tem Ray asked for clarification on how the number of trips was calculated and if the Town has control over the number of trips taken. Mr. Anaya replied the Town will work with the project superintendent and the cost listed is an estimate with a not-to-exceed total number of trips to be taken.

Mayor Pro-Tem made a motion to approve consent agenda item 6. Councilmember Reeves seconded the motion. Motion carried unanimously.

Regarding item 10, Deputy Mayor Pro-Tem Bartley listed numerous concerns regarding the Site Plan including the number of total acres, landscaping requirements, drive-through stacking and queueing lanes, location of trash receptacle enclosure, depth of parking spaces, open space requirements, and retail versus residential requirements being applied equally.

Deputy Mayor Pro-Tem Bartley made a motion to appeal the decision of the Planning and Zoning Commission regarding DEVAPP-24-0083, the Preliminary Site Plan for Prosper Legacy Blocks D-F, to the Development Services Department for the reasons discussed by the Town Council, and as referenced in Section 1.5(C)(4) of Chapter 4 of the Town's Zoning Ordinance. Councilmember Kern seconded the motion. Motion carried unanimously.

CITIZEN COMMENTS

Kent Elliot, 108 N. Parvin Street, requested the Town Council to consider naming the park on Parvin and Broadway after Joe Templin due to all he has done for the Town.

Items for Individual Consideration:

- 11. Conduct a public hearing and consider and act upon a request for a Planned Development for an existing Professional Office on Bryant's First Addition, Block 15, Lot 1R, on 0.6± acre, to accommodate a right-of-way acquisition along First Street, located on the northeast corner of Coleman Street and First Street. (ZONE-24-0026) (DH)**

Mr. Hoover introduced the item stating the purpose of the request is to create a Planned Development for an existing professional office to accommodate the acquisition of right-of-way along First Street. The Town is acquiring right-of-way along First Street that would render the existing development nonconforming. The current zoning is Downtown Office and the permitted uses within this Planned Development will be consistent with Downtown Office. The Planning and Zoning Commission unanimously recommended approval at their January 21 meeting with no responses received from the notices. Staff is recommending approval.

The Town Council discussed the right-of-way acquisition and how that creates nonconforming uses with the property.

Matt Moore, 301 S. Coleman, owner and applicant of the property stated that the request is to adjust for the setbacks so that he can protect and build back what is there today if anything should ever happen.

Mayor Bristol opened the public hearing.

Harper Buster, granddaughter of Mayor Bristol, spoke in favor of the item.

Mayor Bristol closed the public hearing.

Councilmember Kern made a motion to approve a request for a Planned Development for an existing Professional Office on Bryant's First Addition, Block 15, Lot 1R, on 0.6± acre, to accommodate a right-of-way acquisition along First Street, located on the northeast corner of Coleman Street and First Street. (ZONE-24-0026) Mayor Pro-Tem Ray seconded the motion. Motion carried unanimously.

12. Presentation of the 2025 Parks and Recreation Open Space Master Plan. (DB)

Mr. Baker introduced the item with an overview of the Plan addressing the needs and preferences of the community while incorporating industry standards in shaping the future direction of the Town's Park system, programs, and facilities. The Plan was developed using a two-phased process. The Parks and Recreation Board unanimously approved the Plan at their January 23 meeting. Staff is seeking feedback from the Town Council before it is brought forward for consideration at a future meeting.

Phillip Neely, Dunaway and Associates, presented the plan outlining their analysis of land and facility types, benchmarking, recreational programming, community input received through focus groups and an online survey, priority rankings, and recommendations.

The Town Council discussed the online survey and responses and the amount of dedicated parkland space.

Kyle LaFerney with the Parks and Recreation Board commented on the funding considerations and the levels of service they would like to see considered by the Council. He noted their support of the Plan and having a guiding document to assist them with recommendations.

The Town Council further discussed park amenities and strategies for adding to various parks, considerations of a recreation center and partnerships with the private sector, hike and bike trail connectivity, recreational programming, benchmarking, placing signage and building awareness of all park locations.

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

Legislative Subcommittee: Mayor Bristol noted they met and continue to prepare for the upcoming legislative session and noted dates of the Legislative Days being held in April.

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

Councilmember Reeves requested staff to explore adding the Town's park trail system to the mobile app.

Mayor Bristol reminded staff of the updates requested by Councilmember Reeves regarding the processes for the building of roads on the west side of town.

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 Planned Development district regulations, pursuant to Division 24 of Article 2 of the Town's Zoning Ordinance, and all matters incident and related thereto.

Section 551.071 – To consult with the Town Attorney regarding legal issues associated with amortization agreements, 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.

The Town Council recessed into Executive Session at 7:21 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 9:33 p.m.

No action was taken.

Adjourn.

The meeting was adjourned at 9:33 p.m.

These minutes were approved on the 11th day of February 2025.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary