



**MINUTES**  
**Prosper Town Council Meeting**  
Prosper Town Hall, Council Chambers  
250 W. First Street, Prosper, Texas  
Tuesday, February 27, 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 Craig Andres  
Deputy Mayor Pro-Tem Marcus E. Ray  
Councilmember Amy Bartley  
Councilmember Chris Kern  
Councilmember Jeff Hodges  
Councilmember Charles Cotten

**Staff Members Present:**

Mario Canizares, Town Manager  
Michelle Lewis Sirianni, Town Secretary  
Terry Welch, Town Attorney  
Bob Scott, Deputy Town Manager  
Chuck Ewings, Assistant Town Manager  
Robyn Battle, Executive Director  
Mary Ann Moon, Economic Development Director  
Chris Landrum, Finance Director  
Hulon Webb, Director of Engineering Services  
Leslie Scott, Director of Library Services  
Dan Baker, Director of Parks and Recreation  
David Hoover, Development Services Director  
Whitney Rehm, Budget Officer and Grants Administrator  
Todd Rice, Communications and Media Relations Manager  
Eric Men, Help Desk Technician II  
Scott Brewer, Assistant Police Chief

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

James McKinney with Prestonwood Baptist Church 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:

Registration is open for the third annual P-Town Throwdown Pickleball Tournament on Saturday, March 23 beginning at 8:00 a.m. at Reynolds Middle School. The tournament format is co-ed doubles team, age 18+, with recreational and competitive divisions based on player rating. Trophies will be awarded for first and second places, per division. For more information, visit the Special Events page under the Parks and Recreation Department on the Town's website.

Join the Parks and Recreation Department for a Pickleball Social on Wednesday, March 13 from 5:30 to 7:30 p.m. at The Gin located at 204 W. Broadway. This come and go event is an opportunity to register for the tournament, as well as hear an update on all things Pickleball in Prosper along with other park projects. Complimentary appetizers and soft drinks will be served.

Registration is open for the spring season of the 2024 Mayor's Fitness Challenge which begins Friday, March 1 and continues through May 31. Tracking sheets and online registration are available by visiting [prospertx.gov/mayorsfitnesschallenge](http://prospertx.gov/mayorsfitnesschallenge).

Mayor Bristol noted a compliment received regarding the new trash services.

### **Presentations.**

**1. Presentation of a Proclamation declaring March 2024, as Theatre in our Schools Month. (MLS)**

Mayor Bristol read and presented a Proclamation to the Prosper High School Thespian Troope.

**2. Presentation to the Prosper Community Library for receiving the Library of Excellence award. (LS)**

Ms. Scott introduced the item outlining the criteria to be met for the award and introduced the Library staff. Mayor Bristol recognized the staff by presenting THRIVES coins to them for their outstanding achievement.

### **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.

**3. Consider and act upon the minutes from the February 13, 2024, Town Council Work Session meeting. (MLS)**

**4. Consider and act upon the minutes from the February 13, 2024, Town Council Regular meeting. (MLS)**

**5. Consider and act upon Ordinance 2024-22 canceling the May 4, 2024, General Election. (MLS)**

**6. Consider acceptance of the January 2024 Monthly Financial Report. (CL)**

**7. Receive the Quarterly Investment Report for December 31, 2023. (CL)**

**8. Consider and act upon approving purchase orders for the purchase and installation of furniture from Workspace Interiors by Office Depot Business Solutions through the Omnia Partners Cooperative; and authorizing the Town Manager or his/her designee to execute documents related to said purchases. (CL)**

**9. Consider authorizing the Town Manager to enter into a three-year Professional Services Agreement with two one-year renewals for sales tax consulting with Texas City Services LLC for the Town, EDC and the Crime and Fire Special Purpose Districts. (CL)**

**10. Receive the 2023 Annual Racial Profiling Report for the Prosper Police Department as required by state law. (DK)**

**11. Consider and act upon Ordinance 2024-05 amending Section 1.09.017 of the Code of Ordinances relative to the carrying of firearms in Town parks, and**

Sections 8.03.001 and 8.03.002 of the Code of Ordinances relative to the carrying and discharge of firearms in Town buildings or in the Town limits. (TW/DK)

12. Consider and act upon awarding RFP No. 2024-08-A to Sweeping Corporation of America, LLC., related to the Town's Street Sweeping services, and authorizing the Town Manager to execute a construction agreement for same. (CE)
13. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Angel Valuation Services, LP, and the Town of Prosper, Texas, related to appraisal services for the FM 1461 12-inch Water Line Relocation project. (HW)
14. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Geotex Engineering LLC, and the Town of Prosper, Texas, related to professional construction materials testing and observation services for the Legacy (Prairie – First) – 4 Lanes project. (HW)
15. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between ECS Southwest, LLP, and the Town of Prosper, Texas, related to professional construction materials testing and observation services for the Teel Parkway (US 380 - First Street) – 2 NB Lanes project. (HW)
16. Consider and act upon authorizing the Town Manager to execute an Agreement between Blue Star Allen Land L.P., and the Town of Prosper, Texas, related to the repairs of certain roadways in Star Trail, Phase 5. (HW)
17. Consider authorizing the Town Manager to enter into a Professional Services Agreement with Peak Program Value (PPV) for Construction Management Services for Raymond Park. (CL)
18. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between the Town of Prosper and Gray Event Management for recreation program instructor services. (DB)
19. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between the Town of Prosper and Soccer Sparks, LLC, for recreation program instructor services. (DB)
20. Consider and act upon Ordinance 2024-23 granting a Specific Use Permit for a Wireless Communications and Support Structure, on Lakewood Preserve, Block A, Lot 1, on 0.1± acre, located south of East First Street and east of South Coit Road. The property is zoned Planned Development-87 (PD-87) Lakewood. (ZONE-23-0036) (DH)
21. 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 Ray requested to pull items 12 and 17.

Mayor Pro-Tem Andres made a motion to approve consent agenda items 3 through 11, items 13 through 16, and items 18 through 21. Councilmember Hodges seconded that motion. Motion carried unanimously.

Regarding item 12, Deputy Mayor Pro-Tem Ray noted that he would like the Town Council to consider increasing the number of times per year to sweep and to also include US 380 on/off ramps into the contract if possible. Mr. Ewings noted that the contract as presented allows for additional call out times. However, if the call out times are exceeded and any additional areas that are not noted in the contract would have to be added for an additional cost. Deputy Mayor Pro-Tem Ray requested if the staff finds the additional allotments are not sufficient, that they request more in the future and/or revise the contract as needed.

Deputy Mayor Pro-Tem Ray made a motion to approve item 12. Councilmember Cotten seconded that motion. Motion carried unanimously.

Regarding item 17, Mayor Pro-Tem Ray asked if this service will be used for other ongoing projects and if there would be an additional cost associated for this service if used. Mr. Scott commented that this is the first project they are using this service beyond the construction price and will continue to evaluate all options based on the project.

Deputy Mayor Pro-Tem Ray made a motion to approve item 17. Councilmember Cotten seconded that motion. Motion carried unanimously.

### **CITIZEN COMMENTS**

No comments were made.

### **Items for Individual Consideration:**

#### **22. Discuss and consider Town Council Subcommittee reports. (DFB)**

Councilmember Kern provided a Downtown Advisory Committee report noting the committee continues to have ongoing discussions regarding major projects and vetting their ideas based on costs associated with each.

Mayor Pro-Tem Andres stated he recently attended the McKinney Urban District Board meeting. The Board has been discussing Cares funding and evaluating the current ride program for individuals who cannot drive.

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

Mayor Bristol requested staff to address the signage at Frontier Park.

### **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 Article 1.09 and Article 8.03 of the Town's Code of Ordinances, and Chapter 214 of the Texas Local Government Code, and all matters incident and related thereto.*

*Section 551.074 - To discuss and consider personnel matters, including the annual evaluation of the Town Manager, Town Attorney and the Municipal Judge, and all matters incident and related thereto.*

The Town Council recessed into Executive Session at 6:46 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 8:36 p.m.

Mayor Pro-Tem Andres made a motion to authorize the Town Manager to execute all documents related to the Town's sale of a 1.271-acre tract of land located on highway US 380 to the Texas Department of Transportation (TxDOT) including the Possession and Use Agreement for transportation purposes. Councilmember Cotten seconded that motion. Motion carried unanimously.

**Adjourn.**

The meeting was adjourned at 8:37 p.m.

These minutes were approved on the 12<sup>th</sup> day of March 2024.

**APPROVED:**

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**David F. Bristol, Mayor**

**ATTEST:**

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**Michelle Lewis Sirianni, Town Secretary**