



Prosper is a place where everyone matters.

MINUTES

Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, January 25, 2022

Call to Order/ Roll Call.

The meeting was called to order at 6:09 p.m.

Council Members Present:

Mayor Ray Smith
Mayor Pro-Tem Meigs Miller
Councilmember Marcus E. Ray
Councilmember Jeff Hodges
Councilmember Charles Cotten
Councilmember Amy Bartley

Council Members Absent:

Deputy Mayor Pro-Tem Craig Andres

Staff Members Present:

Harlan Jefferson, Town Manager
Terry Welch, Town Attorney
Michelle Lewis Sirianni, Town Secretary
Robyn Battle, Executive Director of Community Services
Rebecca Zook, Executive Director of Development and Infrastructure Services
Hulon Webb, Engineering Services Director
Khara Dodds, Development Services Director
Alex Glushko, Planning Manager
Dan Baker, Parks and Recreation Director
Paul Naughton, Senior Park Planner
Leigh Johnson, IT Director
Betty Pamplin, Finance Director
Doug Kowalski, Police Chief
Stuart Blasingame, 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 recited.

Announcements of recent and upcoming events.

Councilmember Bartley made the following announcements:

The Mayor's Fitness Challenge has begun and runs through April 18. Residents are encouraged to get back on track with their wellness and fitness routines. If you successfully track an average of 90 minutes per week over the course of the Challenge and turn in a completed tracking sheet you will earn a free t-shirt and be entered to win a Fitbit. Any type of exercise qualifies as trackable minutes, and all ages are eligible to participate. Registration details and tracking sheets are available on the Town's website, so register and get moving today.

Thank you to all who attended the Town's annual State of the Community. A special thanks to Prosper ISD for live streaming the event, to Superintendent Dr. Holly Ferguson, and Mayor Smith for sharing key updates happening in the Town and within the school district, and to the sponsors of the event for allowing it to take place. Residents who were unable to attend, may watch the recording of the event by visiting the Town's YouTube Channel. The video should be available by the end of the week.

Join us on Friday, February 11 at 10:00 a.m. for the Groundbreaking Ceremony for the Prosper Central Fire Station & Administration Building located along 911 Safety Way as we commence the project with a turning of the dirt.

Plan for some fishing fun on Saturday, February 19 for the 13th annual Prosper Fishing Derby at Frontier Park from 9:00 a.m. to 11:00 a.m. No registration is required, and the event is free of charge. No license is required for those who volunteer or participate in the event. The Derby is a catch-and-keep event for trout only, with a limit of five per person. More information including contact information is available on the Town's website homepage by clicking on Upcoming Events.

Councilmember Bartley also thanked the Police Chief for the leadership and keeping the Town safe.

Ms. Battle introduced the new Parks and Recreation Director, Dan Baker.

Presentations.

5. **Presentation of a Proclamation declaring February 2022 as Congenital Heart Defect Awareness Month. (MLS)**

Mayor Smith read and presented the Proclamation to Melissa Hansen.

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.

6. **Consider and act upon the minutes from the January 11, 2022, Town Council meeting. (MLS)**
7. **Consider and act upon the minutes from the January 13, 2022, Town Council Work Session. (MLS)**
8. **Consider and act upon Resolution No. 2022-03 approving the Town of Prosper and Prosper Economic Development Corporation (PEDC) Investment Policy and Investment Strategy and approving the list of qualified brokers/dealers and financial institutions that are authorized to engage in investment transactions with the Town of Prosper and the PEDC. (BP)**
9. **Consider and act upon authorizing the Town Manager to execute an Agreement between Motorola Solutions, Inc., and the Town of Prosper, for annual radio system support and maintenance. (SB)**
10. **Consider and act upon approving Amendment No. 3 to the Software Maintenance and Hosting Agreement between Town of Prosper, TX and**

CentralSquare Technologies, LLC; and authorizing the Town Manager to execute the same. (KD)

11. Consider and act upon Ordinance No. 2022-04 amending Section 1.02.061, "Regular Meetings," and Subsection (a) of Section 1.02.162, "Public Member Request to Speak at Public Hearing," of Article 1.02, "Town Council," of Chapter 1, "General Provisions," of the Code of Ordinances, regarding the starting time of regular Town Council meetings and at Public Hearings allowing one member of the public to speak on behalf of multiple members of the public. (RB)
12. Consider and act upon Resolution No. 2022-05 appointing a member of the Prosper Town Council to the North Central Texas (NCT) Regional 9-1-1 Emergency Communications District Board of Managers. (MLS)
13. Consider and act upon whether to direct staff to submit a written notice of appeal 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 any Site Plan or Preliminary Site Plan, including Brookhollow Multifamily, Hope Fellowship, Prosper Town Center, and Victory at Frontier. (AG)

Mayor Pro-Tem Miller made a motion to approve consent agenda items 6 thru 13. Councilmember Ray seconded that motion, and the motion was unanimously approved.

CITIZEN COMMENTS:

No comments were made.

Items for Individual Consideration:

14. Conduct a public hearing and consider and act upon a request to rezone 163.2± acres, from Planned Development-90 (PD-90) to Planned Development (PD), to facilitate the development of a single-family residential subdivision with private social club, located on the north side of First Street, east of Coit Road. (Z20-0021). (AG)

Mr. Glushko stated the proposed development is generally in accordance with the existing zoning with regard to lot size and development standards. The applicant is proposing rezoning to allow for modifications to include the private social club, park dedication location, and hike and bike trail alignment, as well as floodplain on private lots. There are four proposed lot sizes. Mr. Glushko indicated staff has received two forms not in opposition to the request. The Parks and Recreation Board unanimously approved the proposed park dedication and the hike and bike trails as proposed at their July 8, 2021, meeting. The Planning and Zoning Commission unanimously recommended approval at their July 20, 2021, meeting. Staff recommends approval.

The applicant presented an overview of the proposed development that included the location of the development, lot sizes, the open space, trails, and placement of the private social club as well as renderings of the club and amenities. The applicant indicated that the club will be part of Phase I and will be open to anyone and is not required to be a member to live in the development.

Mayor Smith opened the public hearing.

No comments were made.

Mayor Smith closed the public hearing.

The Town Council expressed their appreciation to the applicant for working with staff and the abutting neighbors.

Mayor Pro-Tem Miller made a motion to approve a request to rezone 163.2± acres, from Planned Development-90 (PD-90) to Planned Development (PD), to facilitate the development of a single-family residential subdivision with private social club, located on the north side of First Street, east of Coit Road, subject to approval of a Development Agreement, including, but not limited to, right-of-way and/or easement dedication, and architectural building materials. Councilmember Ray seconded that motion, and the motion was unanimously approved.

15. Conduct a public hearing to discuss and consider the Dallas North Tollway (DNT) Design Guidelines. (KD)

Ms. Dodds stated this is a continued public hearing from December 14. She provided a recap of all the steps taken that have occurred to date. The proposed guidelines for consideration include the nine proposed amendments and an item on development incentives. Ms. Dodds also outlined the two amendments to the Comprehensive Plan, which would include a new sub-objective to include the guidelines as an exhibit.

The Town Council requested to bring back the landscape ordinance for review and discussed landowner rights as they relate to the guidelines. Staff noted that land currently zoned with a PD would not be affected and only a new or an amended PD would then adhere to the guidelines.

Mayor Smith opened the public hearing.

No comments were made.

Mayor Smith closed the public hearing.

Councilmember Cotten made a motion to approve the following amendments to the Town of Prosper Comprehensive Plan: 1. (Amendment One) Include a new sub-objective 1.3.1 under Objective 1.3 in the Section entitled, "Implementation Plan". Sub-objective 1.3.1 shall read as follows: *"Develop Dallas North Tollway Design Guidelines to create a vision of future development on the Tollway, as described in Exhibit One."* 2. (Amendment Two) Include the Dallas North Tollway Design (DNT) Guidelines, which will be described as Exhibit One in the Comprehensive Plan. Councilmember Ray seconded that motion. The motion passes with a 5 to 1 vote. Councilmember Bartley opposed.

16. Consider and act upon an ordinance amending Ordinance No. 2021-55 (FY 2021-2022 Annual Budget). (BP)

Ms. Pamplin stated the Town Council had requested the Town to monitor the trees throughout the town after the winter freeze that occurred in February 2021. This amendment would provide funding for the expenditure of \$90,780 from the General Fund. Ms. Pamplin noted that this item and the next agenda item are comparison items.

Councilmember Ray asked why the Town was only replacing 72 trees when 100 were identified.

Mr. Naughton stated that staff determined it would be better not to replant in certain locations due to poor performance and ongoing maintenance issues. Therefore, only 72 trees will be replaced. In addition, it is cost prohibited to replant inch for inch.

Councilmember Ray made a motion to approve Ordinance No. 2022-06 amending Ordinance No. 2021-55 (FY 2021-2022 Annual Budget) to provide funding increased expenditures in the General Fund. Councilmember Hodges seconded that motion, and the motion was unanimously approved.

- 17. Consider and act upon approving the purchase of trees from Fannin Tree Farm, LLC, through a City of Frisco contract; and authorizing the Town Manager to execute documents for the same. (PN)**

Mayor Pro-Tem Miller made a motion to approve the purchase of trees from Fannin Tree Farm, LLC, through a City of Frisco contract; and authorize the Town Manager to execute documents for the same. Councilmember Hodges seconded that motion, and the motion was unanimously approved.

- 18. Consider and act upon the 2022 Town Council regular meeting schedule. (MLS)**

Ms. Lewis Sirianni stated the Council reviews each year their upcoming regular meeting schedule. It was noted that the Council has historically canceled the second meeting in December, however, this year it falls after the holiday. Staff recommends holding each meeting as normally scheduled with the exception of the second meeting in December.

Mayor Pro-Tem Miller stepped away from the dais during opening remarks.

Councilmember Hodges made a motion to approve the 2022 Prosper Town Council Regular meeting schedule as presented. Councilmember Ray seconded that motion, and the motion was unanimously approved. *Mayor Pro-Tem Miller was not present for the vote.*

- 19. Receive the 2022-2024 Communications and Community Engagement Plan. (RB)**

Ms. Battle stated that this plan is intended to serve as a guide to achieve the Town's communication and community engagement goals over the next several years. It establishes goals, objectives, strategies, and tactics to guide efforts as well as define performance measures and timelines for completion and align new programs and program enhancements with projected staff and budget requirements. Ms. Battle outlined the guiding principles, highlights, and five specific goals. She expressed her appreciation to the Community Engagement Committee and the Communications staff for their review and feedback.

The Town Council discussed the flexibility within the plan to change any strategies or goals and drilling down into the social media analytics to determine what items receive better responses and/or engagement.

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

- 20. Discuss the Denton County Bond Program Call for Projects. (RZ)**

Mr. Webb outlined four key road projects for consideration to be submitted as part of the Denton County call for Bond projects. The projects included Gee Road, Teel Parkway from US 380 to Fishtrap, Legacy Drive, and Parvin Road. Mr. Webb noted that Parvin Road is also within the City of Celina and noted the possible cost share

that the Town could seek regarding this project. Staff is seeking any feedback and direction from the Town Council on these or other road projects for consideration.

The Town Council discussed the proposed projects with no other projects noted for consideration.

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.

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 551.074 – To discuss and consider the Town Manager's performance review.

Section 551.071 - To consult with the Town Attorney regarding an Intergovernmental Agreement between the Town and the US Government, and all matters incident and related thereto.

The Town Council recessed into Executive Session at 7:20 p.m.

Reconvene in Regular Session and take any action necessary as a result of the Closed Session.

The Town Council reconvened the Regular Session at 9:29 p.m.

No action was taken.

Adjourn.

The meeting was adjourned at 9:31 p.m.

These minutes approved on the 8th day of February 2022.

APPROVED:

Ray Smith, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary