



## MINUTES

**Prosper Town Council Meeting**  
Prosper Town Hall, Council Chambers  
250 W. First Street, Prosper, Texas  
Tuesday, August 22, 2023

### **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  
David Hoover, Development Services Director  
Hulon Webb, Director of Engineering  
Dan Baker, Parks & Recreation Director  
Chris Landrum, Finance Director  
Leigh Johnson, IT Director  
James Edwards, Human Resources Director  
Todd Rice, Communications Manager  
Jessika Hotchkin, Help Desk Technician  
Doug Kowalski, Police Chief  
Stuart Blasingame, Fire Chief

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

Casey Burt 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:

Join Town staff for a Budget Town Hall meeting on Thursday, August 31 at 6:00 p.m. in the Council Chambers of Town Hall. Residents are invited to participate in person or may watch live online at [prosper.tx.gov/livemeetings](https://prosper.tx.gov/livemeetings).

Reminder that Town Hall Offices will be closed on Monday, September 4 for the Labor Day Holiday. Due to the holiday, residents whose trash service falls on Monday will be delayed by one day.

Don't miss out on an unforgettable evening at Freedom Fest 2023, featuring a live performance by Coffey Anderson. This highly anticipated concert is set to take place on the south lawn of Town Hall in downtown Prosper on Saturday, September 2 beginning at 5:30 p.m. General Admission tickets are now available or reserve your VIP tickets at [prosper.tx.gov/freedomfesttickets](https://prosper.tx.gov/freedomfesttickets).

Join us on Saturday, September 9 for Paws on Broadway as part of the Downtown Discover event series in partnership with the Prosper EDC from 11:00 a.m. to 2:00 p.m. Bring your pup downtown to enjoy a fun afternoon featuring treats and contests, along with pet-related exhibits and vendors.

Join the Prosper Police and Fire Departments on Monday, September 11 at 9 a.m. at Central Fire Station located at 911 Safety Way for the Town's annual 9/11 Remembrance Ceremony. Carter Blood Care will also be on site from 7:30 a.m. to 6:00 p.m. for anyone wishing to donate.

Registration is now open for the annual Prosper Veterans Day 5K & Fun Run. This event held on Saturday, November 11 is a salute to the men and women who have served in our nation's military. All proceeds will benefit the Prosper Veterans Memorial at Frontier Park. Register today by visiting [prosper.tx.gov/veteransday5k](https://prosper.tx.gov/veteransday5k).

### **Presentations.**

1. **Presentation of THRIVES coins to members of the Prosper Police Department for outstanding performance. (DFB)**

Mayor Bristol presented a Mayors and THRIVES coin(s) to members of the Police Department for their honorable efforts regarding two recent incidents.

### **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 August 8, 2023, Town Council Work Session meeting. (MLS)**
3. **Consider and act upon the minutes from the August 8, 2023, Town Council Regular meeting. (MLS)**
4. **Receive the Quarterly Investment Report for June 30, 2023. (CL)**
5. **Consider and act upon Ordinance 2023-54 approving a Negotiated Settlement between the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding the Company's 2023 Rate Review Mechanism Filing; declaring the existing rates to be unreasonable; finding the rates to be set by the attached Settlement Tariffs to be reasonable and in the public interest; and approving an attachment establishing a benchmark for pensions and retiree medical benefits. (TW)**
6. **Consider and act upon Resolution 2023-55 suspending the September 1, 2023, effective date of a rate request from CoServ Gas Ltd. for the maximum period allowed by law. (TW)**
7. **Consider and act upon authorizing the Town Manager to execute an Agreement between Vector Solutions and the Town of Prosper for online training management and scheduling applications. (SB)**

8. **Consider and act upon authorizing the Town Manager to execute a contract between Astound Business Solutions and the Town of Prosper, Texas, related to establishing fiber network connectivity from Town Hall to Fire Stations 2 & 3, pump station, and establishing fiber radio system connectivity from Prosper to the City of Frisco. (LJ)**
9. **Consider and act upon Resolution 2023-56 designating The Frisco Enterprise as the official newspaper of the Town of Prosper and The Dallas Morning News as an alternative advertising source for FY 2023-2024. (MLS)**
10. **Consider and act upon Ordinance 2023-57 adopting new personnel policies regarding mental health leave for certain personnel as required by recent legislation and injury and illness leave for certain personnel as required by recent legislation. (JE)**

Deputy Mayor Pro-Tem Ray requested to pull item 8.

Mayor Pro-Tem Andres made a motion to approve items 2 through 7, 9, and 10. Councilmember Hodges seconded that motion. Motion carried unanimously.

Deputy Mayor Pro-Tem Ray asked staff to clarify the service terms of the contract. Mr. Johnson replied and spoke to the service terms of the contract.

Deputy Mayor Pro-Tem Ray made a motion to approve item 8. Councilmember Hodges seconded that motion. Motion carried unanimously.

#### **CITIZEN COMMENTS**

No comments were made.

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

11. **Consider all matters incident and related to the issuance and sale of “Town of Prosper, Texas, Combination Tax and Surplus Revenue Certificates of Obligation, Series 2023”, including the adoption of an ordinance authorizing the issuance of such obligations and establishing procedures and delegating authority for the sale and delivery of such obligations. (CL)**

Mr. Landrum stated this item, if approved, authorizes the Town Manager to execute the sale of bonds within the parameters set forth and the noted the water and wastewater projects in connection with the issuance.

Mayor Pro-Tem Andres made a motion to adopt Ordinance 2023-58 authorizing the issuance and sale of “Town of Prosper, Texas, Combination Tax and Surplus Revenue Certificates of Obligation, Series 2023” and approving all other matters related thereto. Deputy Mayor Pro-Tem Ray seconded that motion. Motion carried unanimously.

12. **Receive an update on the 2023 Texas Legislative Session. (RB)**

Ms. Battle introduced Jake Posey and Lorena Robledo with Strategies 360.

Mr. Posey and Ms. Robledo provided an update highlighting the bills that have the most significant impact to the Town, ones that did not pass, and bills that will require ordinance changes and/or policy changes. An advocacy strategy for the post and off-session was also discussed.

**13. Consider and act upon a request to rezone 34.7± acres from Commercial District (C) to a new Planned Development for Mixed Use, located northside of Prosper Trail and west of Dallas Parkway. (Z22-0019) (DH)**

Mr. Hoover reviewed the history of the request and stated all the requests by the Town Council have been captured and presented within the materials for the Council's consideration.

Mayor Bristol read written comments by Shawn Graham, 2940 Vista View Ln supporting the rezoning request.

The Town Council discussed the multi-family component of the project and noted their appreciation for the triggers along with the developer's willingness to make changes based on their feedback.

Deputy Mayor Pro-Tem Ray made a motion to approve a request to rezone 34.7± acres from Commercial District (C) to a new Planned Development for Mixed Use, located northside of Prosper Trail and west of Dallas Parkway. Councilmember Hodges seconded that motion. Motion carried unanimously.

**14. Consider and act upon a Development Agreement for the proposed Pradera Development, located north of Prosper Trail and west of the Dallas Parkway. (DH)**

Mr. Hoover indicated this item is in relation to the previous rezoning request, and the agreement includes all changes requested.

Councilmember Bartley made a motion to approve a Development Agreement for the proposed Pradera Development located north of Prosper Trail and west of Dallas Parkway. Councilmember Hodges seconded that motion. Motion carried unanimously.

**15. Conduct a public hearing and consider and act upon a request to update the Town of Prosper's Comprehensive Plan. (DH)**

Mr. Hoover introduced this item stating the proposed plan has been presented to the Planning and Zoning Commission as well as the Community Engagement Committee. The P&Z Commissioners recommended that low density residential remain on the southeast corner of FM-1385 and Parvin Road instead of the proposed medium density residential. Additionally, they recommended that low density residential remain on the southwest corner of Frontier and Shawnee instead of the proposed medium density residential.

Ms. Wendy Bonneau and Rhys Wilson with Freese & Nichols, Consultants, presented the recommendations from the advisory committee and the Planning and Zoning Commission, and highlighted the changes in the goals and objectives to the proposed update.

The Town Council discussed the proposed changes to the Future Land Use Plan (FLUP), drive-thrus, building heights, detention ponds with lighting, and considering adding the DNT overlay as an objective.

Mayor Bristol opened the public hearing.

No comments were made.

Mayor Bristol closed the public hearing.

Deputy Mayor Pro-Tem Ray made a motion to approve a request to update the Comprehensive Plan based on the recommendations from the Town's consultant with the following revisions: Change the Planning and Zoning Commission recommendation to the CPAC recommendation regarding Area 1 contained in Figure 49 and Area 3 contained in Figure 53; eliminate the first bullet point regarding drive-thrus on page 71; add a recommendation to explore a DNT overlay; and add an objective regarding wet detention in Image Enhancement on page 82, consistent with the Town's current ordinance. Councilmember Bartley seconded that motion. Motion carried unanimously.

**16. Discuss CIP and Finance Subcommittee recommendations and receive Council direction regarding the FY 2023-2024 Proposed Budget. (RBS/CL)**

Mr. Scott provided an overview of the proposed budget including General Fund, Utility Fund, Solid Waste Fund, Stormwater Drainage Fund, and personnel and compensation changes. Mr. Scott stated based on the Town Council's request, these committees met in order to provide recommendations regarding the capital dedicated projects. The CIP Subcommittee recommendation is to maintain the capital dedicated portion of the tax levy at its current level. The subcommittee also outlined a list of their recommended projects for 2024. The Finance Subcommittee accepted these recommendations. In addition, the Finance Subcommittee provided general support for the staff recommendations.

The Town Council discussed the summary of the proposed capital dedicated projects, personnel, and searching for grants when feasible for projects.

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

Mayor Bristol indicated updates were presented in the previous agenda item.

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

Councilmember Kern requested a list of the no-thru truck zones within Town limits.

Deputy Mayor Pro-Tem Ray requested an assessment of the streets that have buckled, as well as revisiting damaged medians in need of repair.

**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 551.089 - Deliberation of security information collected, assembled or maintained by or for a governmental entity to prevent, detect, or investigate criminal*

*activity, pursuant to Section 2059.055 of the Texas Government Code, and all matters incident and related thereto.*

*Section 551.074 - To discuss appointments to the Board of Adjustment/Construction Board of Appeals, Parks & Recreation Board, Library Board, Prosper Economic Development Corporation Board, Planning & Zoning Commission, and the Community Engagement Committee, and all matters incident and related thereto.*

The Town Council recessed into Executive Session at 8:56 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 9:46 p.m.

No action was taken.

**Adjourn.**

The meeting was adjourned at 9:46 p.m.

These minutes were approved on the 12<sup>th</sup> day of September 2023.

**APPROVED:**

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**David F. Bristol, Mayor**

**ATTEST:**

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**Michelle Lewis Sirianni, Town Secretary**