



Prosper is a place where everyone matters.

MINUTES

Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, May 24, 2022

Call to Order/ Roll Call.

The meeting was called to order at 7:01 p.m.

Council Members Present:

Mayor Ray Smith
Mayor Elect David F. Bristol
Mayor Pro-Tem Meigs Miller
Councilmember Marcus E. Ray
Councilmember Amy Bartley
Councilmember Elect Chris Kern
Councilmember Jeff Hodges
Councilmember Charles Cotten

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
Bob Scott, Executive Director of Administrative Services
Hulon Webb, Engineering Services Director
Khara Dodds, Development Services Director
David Soto, Planning Manager
Leigh Johnson, IT Director
Todd Rice, Communications Manager
Stuart Blasingame, Fire Chief
Doug Kowalski, Police Chief

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

John Fowler with First Presbyterian Church led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

Presentations.

1. Administer Oaths of Office to newly elected Councilmembers and present Certificates of Election. (MLS)

Ms. Lewis Sirianni administered the Oath of Office to Chris Kern, Town Council Place 4 and to Marcus E. Ray, Town Council Place 1. Mayor Smith presented the Certificates of Election.

Mayor Smith administered the Oath of Office and presented the Certificate of Election to David F. Bristol, Mayor.

Announcements of recent and upcoming events.

Councilmember Kern made the following announcements:

Thank you to everyone who attended the Town Council Reception prior to tonight's meeting. The Town Council, residents, friends, and family acknowledged outgoing Mayor Ray Smith and Mayor Pro-Tem Meigs Miller for their many years of service to the Town. Marcus Ray was acknowledged for his re-election, and David Bristol and Chris Kern were welcomed as newly-elected members of the Town Council.

On Friday, May 27, hit the road with the Prosper Community Library Story Time at the Body Shop Collision Repair at 10:30 a.m. Enjoy a fun story time and fascinating tour to find out what happens when a car gets bumped and bruised. All ages welcome to participate.

Discover Boots on Broadway on Saturday, June 11 at 6:00 p.m. in Downtown Prosper with Gary Kyle, premier entertainer and songwriter and with Texas legend Gary P. Nunn taking the stage at 7:30 p.m. Parking will be available at Prosper Town Hall. Broadway Street will be closed between S. Crockett Street and S. Coleman Street during the event.

Residents are encouraged to honor the Police Department for National Police Month by turning their porch light blue for the month of May. Light bulbs may be obtained at the Police Station at 801 Safety Way or the information desk in Town Hall.

Town Hall Offices will be closed on Monday, May 30 for the Memorial Day Holiday. Due to the holiday, residents whose trash service falls on Monday will be delayed by one day. The special bulk drop off location at Public Works will also be closed on Saturday, May 28.

Councilmember Bartley announced the new location of Cornerstone Resale and thanked the Prosper Ladies Association for their donation to Cornerstone Resale.

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.

2. **Consider and act upon the minutes from the May 10, 2022, Town Council meeting. (MLS)**
3. **Consider and act upon the minutes from the May 18, 2022, Town Council special meeting. (MLS)**
4. **Consider and act upon awarding CSP No. 2022-41-B to RoeschCo Construction, LLC, related to construction services for the Frontier Park Drainage Channel Improvements project; and authorizing the Town Manager to execute a construction agreement for same. (HW)**

Councilmember Hodges made a motion to approve consent agenda items 2 thru 4. Councilmember Cotten seconded that motion, and the motion was unanimously approved.

CITIZEN COMMENTS

Maria Millan, Executive Director of Neighbors Nourishing Neighbors, 300 W. Broadway, Bldg. 9, requested the Town Council to consider rezoning their new location in order to allow their business to be permissible by right. Ms. Millan indicated that they currently are at risk of losing their space

and are seeking out a new location due to the current zoning classification not allowing them by right to continue operations.

Items for Individual Consideration:

Councilmember Bartley stepped away from the dais.

5. **Conduct a public hearing and consider and act upon a request to rezone a portion of Planned Development-36, and a portion of Planned Development-63, to Planned Development (PD) for Legacy Gardens, on 121.4± acres, in order to modify the residential development standards, including but not limited to reducing permitted lot sizes, located on the south side of Frontier Parkway, west of Dallas Parkway. (Z20-0019). (DS)**

Mr. Soto stated this is a request to rezone 121.4± acres a portion of Planned Development-36 (PD-36), and a portion of Planned Development-63 (PD-63), to establish a new Planned Development. The purpose of rezoning is to establish a new zoning district, and to facilitate the development of a single-family detached residential subdivision. Mr. Soto provided lot size comparisons between PD-36 and PD-63. Staff received one letter of opposition and the Planning and Zoning Commission recommended by a 6-0 vote to approve the request subject to the conditions of limiting 8F Type lots to a maximum of 75, 9F Type lots to a maximum of 57, 10F Type lots to a maximum of 148, and increasing the maximum dwelling size to 1,800 square feet for all proposed lot types. Mr. Soto indicated the applicant has agreed to those conditions. Staff recommends approval of the request with the same conditions and with the addition of a Development Agreement including, but not limited to, architectural building materials.

Michael Hanschen, applicant, 445 Eagle Point, Van Alstyne, stated that in addition to the information provided by Mr. Soto, they have added in green space, connectivity to the trail system, and pocket parks. Mr. Hanschen stated they are requesting an additional 110 total lots to be approved as part of the request. He added that the Phase II is currently under construction.

Mayor Bristol opened the public hearing.

Jason Dixon, 1050 High Willow, requested the Council to maintain their commitment to larger lot sizes and square footage of the units proposed. He commented that there needs to be give and take when considering small lot sizes.

Mayor Bristol closed the public hearing.

The Council discussed the proposed lot sizes and units, and the option of taking the 75 8F Type lots and making them 10F Type lots or larger, and the proposed 57 9F Type lots a combination of 9F and 10F Type lots.

Councilmember Cotten made a motion to table a request to rezone a portion of Planned Development-36, and a portion of Planned Development-63, to Planned Development (PD) for Legacy Gardens, on 121.4± acres, in order to modify the residential development standards, including but not limited to reducing permitted lot sizes, located on the south side of Frontier Parkway, west of Dallas Parkway to June 14, 2022. Councilmember Ray seconded that motion. The motion passed with a 5-0 vote.

Councilmember Bartley returned to the dais.

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

6. Discuss and consider making appointments to the Council subcommittees. (RB)

Ms. Battle provided an overview of the members that are part of the five (5) different subcommittees including the Community Engagement, Technology/VERF, Benefits, Finance, and Broadband Committees. The Town Council may consider making any changes to the subcommittee members.

Mayor Bristol nominated Councilmember Kern to the Technology/VERF and Broadband subcommittee and requested to allow himself to replace former Mayor Smith on the Finance subcommittee.

The Council was in consensus with these appointments.

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 relative to permitted uses and conditional development standards for zoning districts, as referenced in the Town's Zoning Ordinance, and all matters incident and related thereto.

Section 551.074 - To deliberate the appointment of Mayor Pro-Tem and Deputy Mayor Pro-Tem.

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, and Planning & Zoning Commission.

The Town Council recessed into Executive Session at 8:07 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 9:45 p.m.

Councilmember Bartley made a motion to appoint Councilmember Jeff Hodges as Mayor Pro-Tem and Councilmember Craig Andres as Deputy Mayor Pro-Tem. Councilmember Ray seconded that motion, and the motion was unanimously approved.

Councilmember Bartley made a motion to appoint Tommy Van Wolfe to the Planning and Zoning Commission, Place 5; Ray Smith to the Tax Increment Reinvestment Zone No. 1 (TIRZ #1), the Tax Increment Reinvestment Zone No. 2 (TIRZ #2), and the Prosper Economic Development Corporation, Place 2; and Kristin Meier to the Community Engagement Committee (CEC). Councilmember Cotten seconded that motion, and the motion was unanimously approved.

Adjourn.

The meeting was adjourned at 9:47 p.m.

These minutes approved on the 14th day of June 2022.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

DRAFT