



*Prosper is a place where everyone matters.*

## **MINUTES**

**Prosper Town Council Meeting**  
Council Chambers  
Prosper Town Hall  
250 W. First Street, Prosper, Texas  
Tuesday, April 26, 2022  
**5:45 PM**

### **Call to Order/ Roll Call.**

The meeting was called to order at 5:46 p.m.

### **Council Members Present:**

Mayor Ray Smith  
Mayor Pro-Tem Meigs Miller  
Deputy Mayor Pro-Tem Craig Andres  
Councilmember Marcus E. Ray  
Councilmember Amy Bartley  
Councilmember Charles Cotten

### **Council Members Absent:**

Councilmember Jeff Hodges

### **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  
Betty Pamplin, Finance Director  
Rebecca Zook, Executive Director of Development & Infrastructure Services  
Hulon Webb, Engineering Services Director  
Khara Dodds, Development Services Director  
Brady Cudd, Building Official  
Jessika Hotchkin, Help Desk Technician/Broadband Support  
Lindy Higginbotham, Senior Engineer  
Todd Rice, Communications Manager  
Frank Jaromin, Public Works Director  
Stuart Blasingame, Fire Chief  
Doug Kowalski, Police Chief

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

Matt Boswell with The Trails led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

### **Announcements of recent and upcoming events.**

Councilmember Cotten made the following announcements:

Early Voting for the May 7, 2022, General Election has begun and runs through Tuesday, May 3. Residents residing in Collin County, may vote at Prosper Town Hall and residents residing in Denton County may vote at Fire Station No. 2. Visit the Elections page through the Town's website for times, additional locations, and information.

On Saturday, April 30, residents may dispose of prescription drugs through the National Prescription Drug Take-Back Day at the Central Fire Station located at 1500 W. First Street from 10:00 a.m. until 2:00 p.m. For more information, click on Upcoming Events from the Town's website homepage.

On Thursday, May 12 from 6:00 to 7:00 p.m., the Parks and Recreation Department will be doing a site tour at Whitley Place Park, 4001 Glacier Point Ct. to learn more about Prosper's trees and the importance of planting and maintaining trees. Residents may gather in the parking lot area where the tour will begin.

Carter BloodCare will be at the Prosper Community Library on Friday, May 13 from 7:30 a.m. to 6:00 p.m. and on Saturday, May 14 from 9:00 a.m. to 2:00 p.m. for those wanting to donate. Residents may sign up by visiting the Upcoming Events page from the Town's website homepage.

Friends of the Prosper Community Library will be hosting a book sale on Saturday May 14 from 10:00 a.m. to 3:00 p.m. and Sunday, May 15 from noon to 2:00 p.m. at Prosper Town Hall. Stop by to purchase gently used fiction, nonfiction, children's titles and more.

Mr. Jefferson introduced Bob Scott, the Town's new Executive Director of Administrative Services.

### **Presentations.**

**1. Proclamation recognizing May 2022, as Building Safety Month. (KD)**

Mayor Smith read and presented the Proclamation to the Building Inspections Department.

### **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 April 12, 2022, Town Council meeting. (MLS)**

**3. Consider and act upon Ordinance 2022-17 amending Appendix A, "Fee Schedule" to the Town's Code of Ordinances by adding a new subsection (f), "Proration of Annual Fees," to section XX, "Health and Sanitation Fees" including the addition of late payment charges. (MB)**

**4. Consider and act upon approving a Cooperative Purchasing Agreement between North Texas Municipal Water District (NTMWD) and the Town of Prosper, for the purchase of Magnesium Hydroxide Treatment Implementation; and authorizing the Town Manager to execute the same. (FJ)**

**5. Consider and act upon Ordinance 2022-18 abandoning a portion of Good Hope Road prescriptive right-of-way, located north of Windsong Parkway, beginning at a point approximately 300 feet north of Mill Branch Drive and extending northward approximately 750 feet. (PC)**

**6. Consider and act upon approving Ordinance 222-19 amending Chapter 3 "Building Regulations" of the Town's Code of Ordinances by amending Section**

**3.14.008 “Sign Specifications and Design” Subpart (1) of Subsection (c), “Restrictions”, and amendments to locational restrictions in Section 3.14.012 “Criteria for Permissible Signs”, Subpart (B)(i)(b) “Banner Sign” of Subsection 1 “Attached Signage”; Subpart (A)(i)(a) “Development Sign” of Subsection 2 “Freestanding Signage”; Subpart (B)(i)(b) “Downtown Sign”, of Subsection 2 “Freestanding Signage”; and Subpart (G)(i)(c)(2) “Monument Sign” of Subsection 2 “Freestanding Signage”. (BC)**

- 7. 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 Plans, including CHC Prosper Trail, Prosper Tollway Office Park, and Prestonwood Temporary Buildings. (DS)**

Councilmember Cotten made a motion to approve consent agenda items 2 thru 7. Mayor Pro-Tem Miller seconded that motion, and the motion was unanimously approved.

### **CITIZEN COMMENTS**

Thom Vars, 4191 Pepper Grass Lane, requested the Town Council to consider amending the Town’s Charter so that there are single member districts.

Connie Chatelain, 3980 Sweet Clover Drive, is in favor of amending the Town Charter to create districts and assign Council to represent those areas.

Clint Ory, 4721 Bristleleaf Lane, would like there to be single member districts created for the purposes of Council Member requirements.

A Blachowski stated she supports having districts in order to have representation throughout the different areas of Town.

Nataly Huddleston, 16009 Alvarado Drive, stated her support for creating districts.

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

- 8. Conduct a public hearing and consider and act upon a request to amend Planned Development-94 (PD-94), for the Westside Development, on 64.5± acres, northeast corner of US 380 and FM 1385, regarding hotel uses and development standards. (Z22-0001). (DS)**

Ms. Dodds stated the purpose of the proposed PD amendment is to update the PD with regard to the type of hotel, layout, elevations, and parking to accommodate the proposed hotel. Ms. Dodds reviewed the current layout to the proposed layout which depicts one extended stay hotel. The applicant is proposing a modification to the parking to allow for the sharing of parking spaces between the hotel and multitenant building, as well as considering general occupancy percentages. Staff recommends approval of the request subject to an amendment to the existing Development Agreement.

Ron Smith, Architect of the project, stated that the hotel is being customized for the Town and presented design elevations, layouts of the hotel, building materials, and how it will tie in with the overall development of that area.

Mayor Smith opened the public hearing.

Joshua Franklin asked if there were any environmental impacts and would like to see areas of open space within the development retained. Ms. Dodds replied that the development has met and being built in accordance with the Town's requirements and open space guidelines.

Mayor Smith closed the public hearing.

The Town Council discussed the landscaping, lighting, type of fencing around the sport court and dog park, parking requirements, as well as the retail components of the multitenant building.

Councilmember Bartley made a motion to amend Planned Development-94 (PD-94), for the Westside Development, on 64.5± acres, northeast corner of US 380 and FM 1385, regarding hotel uses and development standards, subject to an amendment to the existing Development Agreement, and further authorizing the Town Manager to execute on behalf of the Town a Development Agreement limiting the retail/restaurant component of the development on Lot 16 to family-friendly businesses. Councilmember Cotten seconded that motion, and the motion was unanimously approved.

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

**9. Discussion regarding First Street (Coleman-Craig). (LH)**

Ms. Higginbotham presented two options regarding the roadway widening based on previous feedback received by the Town Council.

The Town Council discussed the options presented including sidewalks, their concerns for cross traffic turning, and having dedicated right and left turn lanes at the intersections.

**10. Receive an update regarding Phase 2 of the Matrix Report. (RZ)**

Ms. Zook reviewed the findings of Phase 1 of the report, which surveyed external customers and the opportunities presented for process improvement. Phase 2 surveyed internal submittals and responses from staff experiences. Ms. Zook outlined the key findings and recommendations along with next steps to be taken.

The Town Council discussed the recommendations and any resources needed to implement any new processes.

**11. Receive an update on the Town Hall Balcony Receptions. (RB)**

Ms. Battle provided an update of the first balcony reception held. And provided dates of the upcoming balcony receptions for the remainder of the year.

The Town Council requested inviting two (2) to three (3) Community Engagement Committee members to each reception.

**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 new United States Supreme Court decision in City of Austin v. Reagan National Advertising relative to municipal sign regulation authority and all matters incident and related thereto.*

The Town Council recessed into Executive Session at 7:22 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 8:10 p.m.

Mayor Pro-Tem Miller made a motion to authorize the Town Manager to execute on behalf of the Town an Economic Development Corporation Incentive Agreement between the Town of Prosper and Alpha3 Prosper RI, LLC, relative to the Residence Inn by Marriott Hotels to be located in the Westside Development generally located on the NE corner of US Hwy 380 and FM 1385. Councilmember Cotten seconded that motion, and the motion was unanimously approved.

**Adjourn.**

The meeting was adjourned at 8:11 p.m.

These minutes approved on the 10<sup>th</sup> day of May 2022.

**APPROVED:**

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**Ray Smith, Mayor**

**ATTEST:**

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**Michelle Lewis Sirianni, Town Secretary**