



MINUTES
Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, March 14, 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 Jeff Hodges
Deputy Mayor Pro-Tem Craig Andres
Councilmember Marcus E. Ray
Councilmember Amy Bartley
Councilmember Chris Kern
Councilmember Charles Cotten

Staff Members Present:

Mario Canizares, Town Manager
Michelle Lewis Sirianni, Town Secretary
Terry Welch, Town Attorney
Bob Scott, Executive Director of Administrative Services
Robyn Battle, Executive Director of Community Services
Chuck Ewings, Executive Director of Development and Infrastructure Services
Hulon Webb, Engineering Director
Chris Landrum, Finance Director
Whitney Rehm, Grants Administrator
James Edwards, Human Resources Director
Todd Rice, Communications Manager
Leigh Johnson, IT Director
Jessika Hotchkin, Help Desk Technician/Broadband Support
Mary Ann Moon, Economic Development Executive Director
Doug Kowalski, Police Chief

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

Jim Lugar with Life Journey 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:

The annual Prosper Spring Cleanup will take place on Saturday, March 25 at Prosper Town Hall from 8:00 a.m. to noon. Residents are able to dispose of bulk trash items, electronic waste, and shredding up to five boxes. No Hazardous Waste or tires will be accepted. Just bring a valid Driver's License or Utility Bill for verification.

The Discover Downtown Series kicks off on Friday, March 31 with a Moonlight Movie. Bring the family to Downtown Prosper for fun, games, popcorn, and to watch Sonic the Hedgehog 2, an action-adventure comedy film. Fun begins at 7:00 p.m. Parking will be on the north side of Town Hall with the movie beginning at dusk.

Join Mayor Bristol along with your community in the newly expanded Mayor's Fitness Challenge! The annual Challenge will run the full year, beginning with the Spring Season, to encourage wellness as a Prosper lifestyle. Challengers who submit a completed tracking sheet by June 9 will earn a t-shirt and entry into the drawing for the top seasonal prize, Bluetooth earbuds along with other prizes and giveaways. Register today by visiting prosper.tx.gov/mayorsfitnesschallenge.

Presentations.

1. Presentation of a Proclamation declaring March 2023, as Ask a Master Gardner Month. (MLS)

Mayor Bristol read and presented a Proclamation to the Prosper residents who are a part of the Collin County Master Gardner's Association.

2. Presentation of a Proclamation declaring March 2023, as Theatre in our Schools Month. (MLS)

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

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.

3. Consider and act upon the minutes from the February 28, 2023, Town Council Joint Work Session meeting. (MLS)

4. Consider and act upon the minutes from the February 28, 2023, Town Council Regular meeting. (MLS)

5. Consider and act upon approving Resolution 2023-27 supporting U.S. Highway 380 as a Controlled Access Highway within the corporate limits of the Town of Prosper, in accordance with recommendations by the Texas Department of Transportation in its December 2022 Draft Environmental Impact Statement for U.S. Highway 380 from Coit Road to FM 1827, and January 2023 Draft Environmental Assessment for U.S. Highway 380 from Teel Parkway to Lakewood Drive; acknowledging the preferred alignment of the future expansion of U.S. Highway 380 within the corporate limits of the Town is consistent with the Town's Thoroughfare Plan; requesting that the Texas Department of Transportation's final Environmental Impact Statement and Environmental Assessment reflect the alignment of U.S. Highway 380 within the corporate limits of the Town of Prosper as recommended; and authorize the Mayor to submit comments to the Texas Department of Transportation on the Draft Environmental Impact Statement and/or Draft Environmental Assessment. (HW)

6. Consider and act upon approval of annual software maintenance and operational open purchase orders with MCCi, for the Information Technology Department during FY 2023. (LJ)

7. **Consider and act upon authorizing the Town Manager to execute a Professional Engineering Services Agreement between Lockwood, Andrews & Newnam, Inc., and the Town of Prosper, Texas, related to the design of the Upper Doe Branch Wastewater Line (Teel Parkway to PISD Stadium) project. (HW)**
8. **Consider and act upon awarding RFP No. 2023-09-A for Benefits and Risk Management Consultant services for the Town of Prosper, effective March 14, 2023, and authorizing the Town Manager to execute all documents for the same. (JE)**

Mayor Bristol requested to pull item 5.

Councilmember Cotten made a motion to approve consent agenda items 3, 4, and 6 through 8. Councilmember Ray seconded that motion, and the motion was unanimously approved.

Mr. Canizares stated in regard to item 5 that TxDOT has extended the public comments to April 5, therefore, will hold this item until the next regular meeting.

Councilmember Bartley made a motion to move consent agenda item 5 to the March 28, 2023 Town Council agenda. Mayor Pro-Tem Hodges seconded that motion, and the motion was unanimously approved.

CITIZEN COMMENTS

No comments were made.

Items for Individual Consideration:

9. **Consider and act upon Resolution 2023-28 of the Town Council of the Town of Prosper, Texas, declaring the public necessity to acquire certain water line easements and temporary construction easements for the construction of the Town's Lower Pressure Plane Water Line Phase 2A project; determining the public use and necessity for such acquisition; authorizing the acquisition of property rights necessary for said Project; appointing an appraiser and negotiator as necessary; authorizing the Town Manager to establish just compensation for the property rights to be acquired; authorizing the Town Manager to take all steps necessary to acquire the needed property rights in compliance with all applicable laws and resolutions; and authorizing the Town Attorney to institute condemnation proceedings to acquire the property rights if purchase negotiations are not successful. (HW)**

Mr. Webb presented the item by identifying the 12 parcels affected with this project. Mr. Webb stated this item gives staff the ability and authority to move forward with condemnation if negotiations are unsuccessful with the property owners. This item requires a roll call vote.

The Town Council briefly discussed the easement and how it affects the setbacks with any development.

Councilmember Cotten made a motion to approve Resolution 2023-28 of the Town Council of the Town of Prosper, Texas, declaring the public necessity to acquire certain water line easements and temporary construction easements for the construction of the Town's Lower Pressure Plane Water Line Phase 2A project;

determining the public use and necessity for such acquisition; authorizing the acquisition of property rights necessary for said Project; appointing an appraiser and negotiator as necessary; authorizing the Town Manager to establish just compensation for the property rights to be acquired; authorizing the Town Manager to take all steps necessary to acquire the needed property rights in compliance with all applicable laws and resolutions; and authorizing the Town Attorney to institute condemnation proceedings to acquire the property rights if purchase negotiations are not successful. Mayor Pro-Tem Hodges seconded that motion.

Councilmember Ray – For
Councilmember Bartley – For
Mayor Pro-Tem Hodges – For
Mayor Bristol – For
Deputy Mayor-Pro Tem Andres – For
Councilmember Kern – For
Councilmember Cotten – For

The motion passes with a 7-0 roll call vote.

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

Councilmember Kern requested for the timing of the light signalization to be checked at First Street and the tollway due to backup since the opening of the overpass.

Mayor Bristol requested a list of items and their status requested thus far.

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 including federal Economic Development Administration projects.

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.

The Town Council recessed into Executive Session at 6:45 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 8:12 p.m.

No action was taken.

Adjourn.

The meeting was adjourned at 8:12 p.m.

These minutes approved on the 28th day of March 2023.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

DRAFT