



Prosper is a place where everyone matters.

Agenda
Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, September 14, 2021
5:45 PM

Notice Regarding Public Participation

Welcome to the Prosper Town Council. Individuals may attend the meeting in person, or access the meeting via videoconference, or telephone conference call.

Join the Zoom Meeting by clicking on the following link:

<https://us02web.zoom.us/j/87189889684>

To join the meeting by phone, dial (346) 248-7799

Enter Meeting ID: 87189889684

Addressing the Town Council:

- Those wishing to address the Town Council must complete the [Public Comment Request Form](#) located on the Town website or in Council Chambers.
- **If you are attending in person**, please submit this form to the Town Secretary prior to the meeting. When called upon, please come to the podium and state your name and address for the record.
- **If you are attending online/virtually**, please submit this form to the Town Secretary prior to 5:00 p.m. on the day of the meeting. Please ensure your full name appears on the screen and you are unmuted so the meeting moderator can recognize you and allow you to speak. The Chat feature is not monitored during the meeting. The Town assumes no responsibility for technical issues that are beyond our control.

If you encounter any problems joining or participating in the meeting, please call our help line at 972-569-1191 for assistance.

Call to Order/ Roll Call.

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

Announcements of recent and upcoming events.

Presentations.

1. Presentation of a Proclamation to members of the Shawnee Trail Chapter of the National Society of the Daughters of the American Revolution declaring September 17-23, 2021, as Constitution Week. (RB)
2. Presentation of a Proclamation to members of the Town's Emergency Management staff declaring September 2021 as Emergency Preparedness Month. (RB)

3. Presentation of awards from the Texas Association of Municipal Information Officers (TAMIO) to members of the Town's Communications staff. (RB)

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.

4. Consider and act upon the minutes from the August 24, 2021, Town Council meeting. (RB)
5. Consider and act upon a resolution designating *The Prosper Press* as the official newspaper of the Town of Prosper, and *The Dallas Morning News* and *The Frisco Enterprise* as alternative advertising sources, for Fiscal Year 2021-2022. (RB)
6. Consider and act upon a resolution authorizing the Town of Prosper to participate in the proposed opioids settlements brought by the state of Texas and other jurisdictions against various pharmaceutical companies for their roles in the national opioid crisis, and authorizing the Town Manager to execute documents related to same. (RB)
7. Receive the July financial report. (BP)
8. Consider and act upon authorizing the Town Manager to accept grant awards from the Federal American Rescue Plan Act (ARPA)/State and Local Fiscal Recovery Funds (SLFRF) and the Department of Homeland Security Grant Program (HSGP) passthrough from the Office of the Governor's State Homeland Security Program (SHSP). (KB)
9. Consider and act upon an ordinance of the Town Council of the Town of Prosper, Texas, adopting new personnel policies regarding quarantine leave and mental health leave for certain personnel as required by recent legislation. (JE)
10. Consider and act upon adopting the FY 2021-2022 Prosper Economic Development Corporation budget. (RS)
11. Consider and act upon an ordinance amending Subsection 8 of Section 3.14.010, "Prohibited Signs," of Chapter 3, "Building Regulations," of the Town's Code of Ordinances by allowing feather signs to be displayed on non-residential property at certain times during the week. (KD)
12. Consider and act upon an ordinance amending a portion of Planned Development-40 (PD-40), on 16.9± acres, Windsong Ranch Marketplace, located on the north side of US 380, east of Gee Road, in order to facilitate the development of two (2) drive-through restaurants. (Z21-0007). (AG)
13. Consider and act upon authorizing the Town Manager to execute a Development Agreement between Northeast 423/380 Pads LP, and the Town of Prosper, Texas, related to the Windsong Ranch Marketplace development. (AG)
14. Consider and act upon an ordinance rezoning 119.4± acres from Planned Development-90 (PD-90), to Planned Development-111 (PD-111), located on the north side of US 380, east of Coit Road, generally to amend the single-family detached residential and single-family attached (townhome) residential development standards. (Z21-0009). (AG)

15. Consider and act upon authorizing the Town Manager to execute a Development Agreement between 55 Prosper, LP and HH Lakewood Drive Development, LP, and the Town of Prosper, Texas, related to the Brookhollow West development. (AG)
16. 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 Lakewood Park. (AG)

CITIZEN COMMENTS

The public is invited to address the Council on any topic. However, the Council is unable to discuss or take action on any topic not listed on this agenda. Please complete a "Public Meeting Appearance Card" and present it to the Town Secretary prior to the meeting, or request to address the Council via videoconference or telephone.

REGULAR AGENDA:

If you wish to address the Council, please fill out a "Public Meeting Appearance Card" and present it to the Town Secretary, preferably before the meeting begins, or request to address the Council via videoconference or telephone. Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

Items for Individual Consideration:

17. Conduct a Public Hearing to consider and discuss a proposal to adopt a tax rate of \$0.52 per \$100 valuation. (BP)
18. Discuss FY 2021-2022 Proposed Budget. (BP)
19. Conduct a Public Hearing, and consider and act upon an ordinance for a Specific Use Permit (SUP) for a Commercial Stable (Whispering Farms Equestrian Center), on 26.5± acres, located on the south side of Prosper Trail, east of Coit Road. (S21-0002). (AG)
20. Conduct a Public Hearing, and consider and act upon a request for a Specific Use Permit (SUP) for a Major Nursery (Calloway's), in Gates of Prosper, on 3.2± acres, located on the north side of Richland Boulevard, west of Preston Road. The property is zoned Planned Development-67 (PD-67). (S21-0001). (AG)
21. 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)
22. Consider and act upon an ordinance amending Ordinance No. 2020-71 (FY 2020-2021 Budget). (BP)
23. Consider and act upon an ordinance adopting the Fiscal Year (FY) 2021-2022 Annual Budget and Capital Improvement Program for the fiscal year beginning October 1, 2021, and ending September 30, 2022. (BP)

24. Consider and act upon an ordinance adopting the Town of Prosper 2021 Property Tax Rate. (BP)

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

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, including the resignation of the Fire Chief, and all matters incident and related thereto.

Section 551.071 - Consultation with the Town Attorney regarding legal issues associated with compensation and employee incentives regarding leave policies.

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.

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

Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on Friday, September 10, 2021, and remained so posted at least 72 hours before said meeting was convened.

Robyn Battle, Interim Town Secretary

Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

NOTICE

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Town Council.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Town Council meetings are wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1011 at least 48 hours prior to the meeting time.