



*Prosper is a place where everyone matters.*

## Minutes

### Prosper Town Council Meeting

Council Chambers

Prosper Town Hall

250 W. First Street, Prosper, Texas

Tuesday, February 23, 2021

#### **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 Jason Dixon

Deputy Mayor Pro-Tem Craig Andres

Councilmember Marcus E. Ray

Councilmember Amy Bartley

Councilmember Jeff Hodges

Councilmember Meigs Miller

#### **Staff Members Present:**

Harlan Jefferson, Town Manager

Terry Welch, Town Attorney

Melissa Lee, Town Secretary

Robyn Battle, Executive Director of Community Services

Chuck Springer, Executive Director of Administrative Services

Betty Pamplin, Finance Director

January Cook, Purchasing Manager

Rebecca Zook, Executive Director of Development & Infrastructure Services

Hulon Webb, Engineering Services Director

Dan Heischman, Assistant Director of Engineering Services - Development

Alex Glushko, Planning Manager

Frank Jaromin, Director of Public Works

Leigh Johnson, Director of Information Technology

Dudley Raymond, Director of Parks and Recreation

Doug Kowalski, Police Chief

Stuart Blasingame, Fire Chief

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

Pastor Jason McConnell of Prosper United Methodist Church led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

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

Councilmember Bartley read the announcements.

Town of Prosper Emergency Management staff will offer two informational meetings for residents and businesses affected by last week's winter storm damage. Kent Bauer, Emergency Management Coordinator, and Misti Townsend with the Texas Department of Emergency Management, will provide information on state and federal assistance programs, and how to apply. Information for residents will be presented on Wednesday, February 24 at 6pm, and a

program for businesses will be offered on February 25 at 6:00 p.m. Meetings will be held via Zoom, and everyone is welcome. Visit the Town website and Facebook page for more information.

Registration is open for the Prosper Parks & Recreation Spring Break Sports Academy. The program includes fundamentals of golf, track and field, and other sports. Sign up at [www.prosperparksandrec.org](http://www.prosperparksandrec.org).

The Prosper Fishing Derby has been rescheduled to Saturday, March 6, from 9:00-11:00 a.m. at Frontier Park. Bring the family to the park for a day of fun, fishing, and prizes. More information is available on the Parks & Recreation Facebook page or the Town website.

The Prosper Community Library is hosting a community blood drive. The Carter BloodCare Bus will be parked at the Library on March 16 and 17 from 7:30 a.m.-6:00 p.m. Visit the Library's Facebook page to learn more about the event and to sign up online.

The Pecan Grove Park Public Input Meeting will take place during a special meeting of the Parks and Recreation Board on Wednesday, March 17, in Council Chambers. A Zoom link will be provided on the Agenda for those who wish to attend virtually.

The Mayor's Fitness Challenge continues through April 18. Residents are encouraged to walk or run at least 100 miles or bike at least 300 miles. Turn in your completed tracking sheets by April 23 to receive a free t-shirt and the opportunity to win a Fitbit.

### **Presentations.**

- 1. Recognition of members of the Town of Prosper staff for outstanding service during the recent winter storm emergency. (HJ)**

Harlan Jefferson, Town Manager, discussed the Town of Prosper's response to a recent winter storm. Town Staff provided a warming station at the Library, water leak notifications and water shut off assistance for residents. Street crews worked overnight to sand streets and the Town's Communications staff provided Emergency Communication Updates on the Town's website and social media throughout the storm.

### **Discussion Items.**

- 2. Community Picnic Update (DR)**

Dudley Raymond, Director of Parks and Recreation, provided an update on the Community Picnic rebranded as the BBQ and Blues Special Event to be held September 25, 2021, from 5 p.m. until 9 p.m. There will be blues musician performances, carnival rides and mobile food trucks. Mr. Raymond reviewed the expenses of the event with the Town Council totaling \$32,600.

The Town Council favored the rebranding and entertainment options presented and were in favor of adding more sponsorship opportunities for the event.

### **3. Employee Survey Results (JE)**

James Edwards, Director of Human Resources, briefed the Town Council on the Employee Survey Results conducted by the independent research firm Polco/National Research Center. This survey was conducted to give employees a candid voice to provide their assessments of the organization. It also promotes transparency and documents organizational successes and challenges for everyone to see. About nine out of ten employees reported being satisfied with their job overall, felt positive about working for the Town, and planned on working for the Town a year from now. Further, 89% of employees would recommend working for the Town of Prosper.

The Town Council had questions on the benchmarking used with this survey, specifically if there were any local municipalities used as comparisons. Mr. Edwards responded that the comparisons were drawn from similar size municipalities across the country and locally the Town of Flower Mound was used. The Town Council discussed the frequency of the survey and the response results from Town employees.

#### **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 February 9, 2021, Town Council Minutes. (ML)**
- 6. Consider and act upon receiving the 2020 Annual Racial Profiling Report for the Prosper Police Department as required by state law. (DK)**
- 7. Consider and act upon an Ordinance No. 2021-10 to amend Subdistrict 2 of Planned Development-67 (PD-67), on 217.8± acres, generally to modify the multifamily development standards for the Gates of Prosper, located on the southwest corner of Coleman Street and Lovers Lane. (Z20-0022). (AG)**
- 8. Consider and act upon an Ordinance No. 2021-11 rezoning 58.1± acres, from Planned Development-86 (PD-86) to Planned Development-Single Family-15 (PD-SF-15), to allow for a Funeral Home with Crematorium and Cemetery, located on the west side of Custer Road, north of US 380. (Z20-0020). (AG)**
- 9. Consider and act to authorize the Town Manager to execute a Development Agreement between 310 Prosper, L.P., and the Town of Prosper, Texas, related to the Prosper Funeral Home development. (AG)**
- 10. Consider and act upon an ordinance rezoning 55.8± acres, located on the west side of Good Hope Road, south of Parvin Road, from Agricultural (A) to Planned Development-40 (PD-40), generally to incorporate tracts of land into the Windsong Ranch development. (Z20-0023). (AG)**
- 11. Consider and act upon authorizing the Town Manager to execute a Second Amended Development Agreement between VP Windsong Operation, LLC and VP Windsong Investments, LLC, and the Town of Prosper, Texas, related to the Windsong Ranch development. (AG)**

Mayor Smith removed Item 5 from the Consent Agenda.

Mayor Pro-Tem Dixon made a motion and Deputy Mayor Pro-Tem Andres seconded the motion to approve Items 4, 6-9, and to table items 10 and 11 to the March 9, 2021, Town Council Meeting.

The motion was approved by a vote of 7 – 0.

**5. Consider and act upon approving the purchase of one Apex Officer Pro-Training Simulator from Govred Technology, Inc., a sole source provider. (DK)**

Doug Kowalski, Police Chief, began with addressing a revision to this item. Two additional user units were added to utilize a majority of the grant award, increasing the capability to 4 users at one time. This increased the original quote from \$62,500 to \$92,500. Chief Kowalski continued by reviewing the Apex Officer Pro-Training Simulator. The Simulator offers immersion in a 540-degree VR Environment with hundreds of possible endings.

Deputy Mayor Pro-Tem Andres questioned if the Apex Officer Pro-Training Simulator will replace the need for live training, Chief Kowalski responded that this system is used in conjunction with live training.

After discussion Mayor Pro-Tem Dixon made a motion and Councilmember Hodges seconded the motion to approve the purchase of one Apex Officer Pro-Training Simulator from Govred Technology, Inc., a sole source provider.

The motion was approved by a vote of 7 – 0.

**CITIZEN COMMENTS:**

There were no citizen comments.

**REGULAR AGENDA:**

**Items for Individual Consideration:**

**12. Consider and act upon Ordinance No. 2021-12 amending Ordinance No. 2020-71 (FY 2020-2021 Budget). (BP)**

Betty Pamplin, Finance Director, discussed the amendment that includes \$90,000 for the Public Safety Honor Walls and \$127,660 for the Community Development Software System and Implementation Support Services.

Councilmember Miller made a motion and Deputy Mayor Pro-Tem Andres seconded the motion to approve Ordinance No. 2021-12 amending Ordinance No. 2020-71 (FY 2020-2021 Budget).

The motion passed by a vote of 7 – 0.

**13. Consider and act upon authorizing the Town Manager to execute an agreement between Brown Reynolds Watford Architects (BRW) and the Town of Prosper, Texas, related to architectural and engineering design services for the Public Safety Complex, Phase 2 (Central Fire Station and Fire Administration). (SB)**

Stuart Blasingame, Fire Chief, presented this item to the Town Council. On March 5, 2020, the Town Manager executed an agreement with BRW to conduct a feasibility study for the new fire station and fire administration. Staff recommended retaining the services of BRW to provide architectural and engineering design services for Public Safety Complex, Phase 2 (Central Fire Station and Fire Administration). The proposed agreement with BRW includes the architectural, structural and MEP (mechanical, electrical, and plumbing) design of the building, engineering services for the on-site improvements, interior design, necessary consultants to assist with acoustical, technology and security design, and construction administration services. The facility would be operational in Summer 2023 with the total cost for services at \$1,503,100.

Councilmember Miller questioned if the design of the training facilities would be included in this agreement, Chief Blasingame responded the training facility was not included with this agreement. The Town Council discussed total staff capacities with this facility and all Town of Prosper fire stations.

After discussion Councilmember Hodges made a motion and Mayor Pro-Tem Dixon seconded the motion to approve the agreement between Brown Reynolds Watford Architects (BRW) and the Town of Prosper, Texas, related to architectural and engineering design services for the Public Safety Complex, Phase 2 (Central Fire Station and Fire Administration).

The motion was approved by a vote of 7 – 0.

**14. Consider and act upon awarding Bid No. 2021-30-B to Tiseo Paving Co., related to construction services for the Fishtrap Road Segment 4 Construction and Segment 1-4 Landscaping Architecture project; and authorizing the Town Manager to execute a construction agreement for same. (HW)**

Hulon Webb, Engineering Services Director, provided an overview of this item. On January 28, 2021, at 3:00 PM, six bids were received for the project. The project includes the 4-lane extension of Fishtrap Road from Rushing Middle School to east of the driveway to Stuber Elementary School. The project also includes the installation of the Town of Prosper standard median landscaping, irrigation, and empty conduit for future installation of median street lighting from Teel Parkway to Stuber Elementary School. Tiseo Paving Co. was the firm ranked the highest for the project with a cost of \$2,627,010.55, and time of 284 calendar days for final completion.

The Town Council discussed subgrade standards included with this bid for moisture conditioning. Mayor Pro-Tem Dixon questioned the communication between the Town of Prosper and the Prosper Independent School District regarding any possible disruptions that may occur to traffic flow. Mr. Webb confirmed there would-be coordination between the school district and the Town regarding disruptions.

After discussion, Mayor Pro-Tem Dixon made a motion and Deputy Mayor Pro-Tem Andres seconded the motion to approve Bid No. 2021-30-B to Tiseo Paving Co., related to construction services for the Fishtrap Road Segment 4 Construction and Segment 1-4 Landscaping Architecture project; and authorizing the Town Manager to execute a construction agreement for same.

The motion passed by a vote of 7 – 0.

15. **Consider and act to authorize the Town Manager to execute a Development Agreement between Founders Classical Academy of Prosper and the Town of Prosper, Texas, related to the Founders Classic Academy Charter School development on the southwest corner of First Street and Custer Road. (AG)**

Alex Glushko, Planning Manager, discussed with the Town Council the request to table this item until the March 9, 2021, Town Council meeting. The applicant is currently working on a site redesign to incorporate berms into the development.

Mayor Pro-Tem Dixon made a motion and Councilmember Ray seconded the motion to approve tabling the Development Agreement between Founders Classical Academy of Prosper and the Town of Prosper, Texas, related to the Founders Classic Academy Charter School development on the southwest corner of First Street and Custer Road until the March 9, 2021, Town Council Meeting.

The motion passed by a vote of 7 – 0.

16. **Consider and act upon awarding CSP No. 2021-02-A to Tyler Technologies, Inc. for a Community Development System; and authorizing the Town Manager to execute documents for the same. (RZ)**
17. **Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Sciens, LLC and the Town of Prosper, Texas, related to Phase II Project Implementation Support for the Tyler EnerGov Community Development System. (RZ)**

Mayor Smith opened Items 16 and 17 concurrently.

Rebecca Zook, Executive Director of Development & Infrastructure Services, presented items 16 and 17 to the Town Council. Staff recommended awarding CSP No. 2021-02-A to Tyler Technologies, Inc. for a Community Development System and executing a Professional Services Agreement between Sciens, LLC, related to Phase II Project Implementation Support for the Tyler EnerGov Community Development System. Tyler EnerGov is a cloud-based system that will provide comprehensive, integrated Community Development System for use by internal departments and the Town's customers who develop in Prosper. The year one cost to implement this system is \$427,918 with an annual cost for years 2-5 at \$140,918. The implementation of Tyler EnerGov will also require a dedicated Project Management professional focusing on the technical/software application and conversion to ensure project success. As the Town does not currently have dedicated Project Management staff, it is recommended that the services of Sciens, LLC be engaged. The total cost for services is \$75,160.

Councilmember Bartley inquired as to the timeframe of implementation; Mrs. Zook responded 12 months. Councilmember Ray questioned the use of a project manager in the proposed agreement with Sciens, LLC. Leigh Johnson, Director of Information Technology, discussed the need for a dedicated Project Management professional focusing on the technical/software application and conversion to ensure project success. Steven Barcey, Senior Consultant for Sciens Consulting, expanded on the need for a dedicated Project Management professional focusing on the technical/software application and conversion within the proposed project.

The Town Council discussed the adaptability of the proposed system, Craig Dixon, Senior Account Executive for Tyler Technologies, addressed the adaptability of the Community Development System.

After discussion, Councilmember Miller made a motion and Deputy Mayor Pro-Tem Andres seconded the motion awarding CSP No. 2021-02-A to Tyler Technologies, Inc. for a Community Development System; and authorizing the Town Manager to execute documents for the same.

The motion passed by a vote of 7 – 0.

Councilmember Miller made a motion and Councilmember Ray seconded the motion to authorize the Town Manager to execute a Professional Services Agreement between Sciens, LLC and the Town of Prosper, Texas, related to Phase II Project Implementation Support for the Tyler EnerGov Community Development System.

The motion passed by a vote of 7 – 0.

**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 and all matters incident and related thereto.***

***Section 551.074 - To discuss and review the Town Manager's performance evaluation.***

The Town Council recessed into Executive Session at 7:52 p.m.

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

The Town Council reconvened the Regular Session at 10:05 p.m.

Councilmember Miller made a motion and Councilmember Hodges seconded the motion to approve the First Amendment to Real Estate Sales Contract between 701/709 Stadium Drive, LLC, and Blue Star Land, L.P., and the Town of Prosper.

The motion was approved by a vote of 7 – 0.

Councilmember Miller made a motion and Councilmember Hodges seconded the motion to approve the Town of Prosper, the Prosper Economic Development Corporation and Crossland Construction Company, Inc., Chapter 380 Partnership Agreement.

The motion was approved by a vote of 7 – 0.

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

18. Water Bill Relief (HJ)

Harlan Jefferson, Town Manager, briefed the Town Council on continuing the Water Bill Relief on an annual basis, it will expire May 1, 2021. Initiated in response to the Coronavirus pandemic, the program allows for the Town to waive utility charges for residential customers due to financial hardship through an agreement with Cornerstone North Central Texas. The amount waived can be up to the amount of the average town-wide residential bill in the same month. Of the \$25,000 allocated to the program, \$15,349.19 remains. Mr. Jefferson requested guidance as to continue on an annual basis or not.

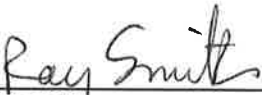
The Town Council requested to re-evaluate the program closer to the expiration date. Town Staff will present this item for consideration to the Town Council prior to the program's expiration on May 1, 2021.

**Adjourn.**

The meeting was adjourned at 10:13 p.m. on Tuesday, February 23, 2021.

These minutes approved on the 9th day of March 2021.

**APPROVED:**

  
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Ray Smith, Mayor

**ATTEST:**

  
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Melissa Lee, Town Secretary

