



Prosper is a place where everyone matters.

Minutes

Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, July 14, 2020

Call to Order/ Roll Call.

The meeting was called to order at 5:45 p.m.

Council Members Present:

Mayor Ray Smith
Mayor Pro-Tem Curry Vogelsang, Jr.
Deputy Mayor Pro-Tem Jason Dixon
Councilmember Marcus E. Ray
Councilmember Craig Andres
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
John Webb, Development Services Director
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

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

Alex Gonzales led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

Announcements of recent and upcoming events.

The water tank on the new Fishtrap Elevated Storage Tank was raised last Thursday. The storage tank holds 2.5 million gallons of water, and is expected to be online by the end of 2020. For more information on the Town's infrastructure projects, please visit the Engineering page on the Town website.

July is Parks and Recreation Month, and the Prosper Parks and Recreation Department encourages residents to enjoy the variety of parks, trails, and recreation programs that the Town

has to offer. Visit the Parks and Recreation Facebook page, or www.prosperparksandrec.org for more information.

July is also Smart Irrigation Month, and the Town of Prosper's Water Education Program offers several ways to save money and conserve water during the hot summer months. More information is available on the Water Conservation page on the Town Website.

The Town Secretary's Office is accepting applications for the Town's various Boards and Commissions. Applications and information are available on the Town website, or by contacting the Town Secretary.

The Town Council would like to express our condolences to the family of Greg Dyer, a well-known Prosper resident who passed away recently. A memorial service was held for Greg at Frontier Park on Saturday. Special thanks to the Police Department, Fire Department, and Parks and Recreation staff for helping to coordinate the service. Our thoughts and prayers are with Greg's family. He will be missed.

The Town Council would also like to congratulate Prosper Superintendent Dr. Drew Watkins, who recently announced his upcoming retirement. Dr. Watkins has served the children and families of Prosper ISD for 18 years, and we thank him for his service to the community.

Presentations.

1. Update from Neighbors Nourishing Neighbors. (RB)

Pat Jones, Interim Executive Director for Neighbors Nourishing Neighbors, provided a 2020 year-to-date recap that included the impact of COVID-19 on their operations. Through facility optimization, Neighbors Nourishing Neighbors has been able to meet the increased needs of our community. Cash and food donations are always needed as there is an expected sustained need in August 2020, after the stimulus and extra unemployment payments end.

2. Recognition of participants in the Mayor's Fitness Challenge. (DR)

Mayor Smith congratulated the 2020 Mayor's Fitness Challenge finishers. This year 65 participants logged a combined 15,623 miles through walking, running and cycling. Mayor Smith announced Jennifer Gordon as the Fitbit drawing winner.

Discussion Items.

3. Bond Committee Presentation. (CV)

David Bristol, Prosper Economic Development Corporation's Vice President and 2020 Bond Committee Chairman, began by thanking Council for giving the Bond Committee the opportunity to look at projects that are meaningful for the Town in the next ten years. Chairman Bristol also thanked the Bond Committee members for their time and dedication, thanked Mayor Pro-Tem Vogelsang for his leadership as the Bond Committee's Vice Chairman, and thanked Committee Member George Dupont for his institutional knowledge regarding the previous bond election.

Mayor Pro-Tem and Bond Committee Vice Chairman Vogelsang continued with an overview of the Bond Committee charge and a tentative bond election timeline. The

Committee unanimously recommended that the Town Council call a bond election for the citizens of Prosper to include \$150 million for Streets and Roadways, \$30 million for Public Safety, and \$30 million for Parks and Recreation. The Committee reviewed and edited the proposed ballot language for the bond election and is unanimously agreed with the charge from the Town Council for a November 2020, election date.

Deputy Mayor Pro-Tem Dixon questioned the growth rate calculation used, and Mayor Pro-Tem Vogelsang discussed the growth rate stating it was conservative. Councilmember Miller questioned the list of project priorities. Mayor Pro-Tem Vogelsang responded in looking to the future, the recommendations of the Bond Committee are a general framework but with the flexibility of bond funds. Deputy Mayor Pro-Tem Dixon requested clarification on if there were three separate propositions on the election and if each required a separate vote. Mayor Pro-Tem Vogelsang confirmed there were three propositions, each requiring a separate vote. Councilmember Andres had questions on the increase in interest rates and the trajectory used. Mayor Pro-Tem Vogelsang discussed the projections and stated they were conservative. The Town Council will consider an ordinance ordering a Bond Election to be held in November 2020 at the August 11, 2020, Town Council meeting.

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 June 18, 2020, Budget Work Session. (ML)**
- 5. Consider and act upon the minutes from the June 23, 2020, Town Council Meeting. (ML)**
- 6. Consider and act upon Resolution 2020-53 authorizing the Collin County Tax Office to calculate the voter-approval tax rate for tax year 2020 in the manner provided for a special taxing unit at 8 percent. (BP)**
- 7. Receive the May Financial Report. (BP)**
- 8. Consider and act upon Ordinance 2020-54 amending Subsection (a) of Section 10.01.001, "Engineering Design Standards," of Article 10.01, "General Provisions," of Chapter 10, "Subdivision Regulation," of the Town's Code of Ordinances by adopting new Roadway Design Requirements. (DH)**
- 9. Consider and act upon awarding CSP No. 2020-60-B to Reynolds Asphalt & Construction Company, related to construction services for the Fishtrap Road at FM 1385 Roadway Improvements project; and authorizing the Town Manager to execute a construction agreement for same. (FJ)**
- 10. Consider and act upon awarding CSP No. 2020-66-B to Pavecon Public Works, LP, related to construction services for Miscellaneous Asphalt Improvements; and authorizing the Town Manager to execute a construction agreement for same. (FJ)**

11. **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. (AG)**

Dan Heischman, Assistant Director of Engineering Services – Development, clarified an error on the staff report for Item 8.

Councilmember Hodges made a motion and Councilmember Miller seconded the motion to approve all items on the Consent Agenda.

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

CITIZEN COMMENTS

Prosper resident Lorenzo Henry, 721 Texana Drive, Prosper, commented on the need for a pedestrian overpass at US 380 and Coit Road to protect the safety of school children trying to cross US 380.

REGULAR AGENDA:

Items for Individual Consideration:

12. **Consider all matters incident and related to the issuance and sale of the Town of Prosper, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2020, including the adoption of Ordinance 2020-55 authorizing the issuance of such Certificates, appointing a representative of the Town and delegating to the representative certain matters with respect to the sale of the Certificates; establishing parameters for the approval of such delegated matters; approving an Official Statement, a Paying Agent/Registrar Agreement and an engagement letter of bond counsel; ordering the levy of an annual ad valorem tax for the payment of the Certificates; and enacting other provisions relating to the issuance and sale of the Certificates. (BP)**

Betty Pamplin, Finance Director, presented Council information on the issuance of the Town of Prosper Combination Tax and Surplus Revenue Certificates of Obligation, Series 2020. Proceeds from the sale of the Certificates will fund roadway and intersection improvements in the amount of \$12,040,000, park and trail improvements in the amount of \$347,000, and the costs of issuing the Certificates in the amount of \$113,000. The ordinance would authorize the issuance of the Certificates and delegate to the Town Manager the final pricing within 90 days. It is anticipated that the sale of the Certificates will occur the last week of July after receipt of the 2020 certified taxable values for the Town.

After discussion, Mayor Pro-Tem Vogelsang made a motion, and Councilmember Ray seconded the motion to authorize the issuance and sale of the Town of Prosper, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2020, including the adoption of Ordinance 2020-55 authorizing the issuance of such Certificates, appointing a representative of the Town and delegating to the representative certain matters with respect to the sale of the Certificates; establishing parameters for the approval of such delegated matters; approving an Official

Statement, a Paying Agent/Registrar Agreement and an engagement letter of bond counsel; ordering the levy of an annual ad valorem tax for the payment of the Certificates; and enacting other provisions relating to the issuance and sale of the Certificates.

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

13. Discussion on Thoroughfare Screening. (JW)

John Webb, Development Services Director, discussed the Visioning Committee's desire of maintaining the "open feel" along the Town's roadways and the official Vision Statement was provided. Director Webb discussed recent deviations from the required open thoroughfare screening requirements. The Subdivision Ordinance requires that masonry walls, wood fences, solid metal fences, or any other type of solid fencing shall not be constructed parallel to the required ornamental metal fence within the landscape buffer or on an adjacent lot, within a distance of 25 feet from the ornamental metal fence

Director Webb reviewed the installation of "black meshing" by residents on the ornamental fencing to provide visual screening, as well as noise reduction from the vehicles on the thoroughfares. Staff provided four options for consideration including permitting all evergreen shrubs to obtain a height of six feet adjacent to the ornamental fencing and requiring minimum 40-foot wide landscape buffers with additional landscaping adjacent to minor and major thoroughfares in future subdivisions.

Council expressed a preference for the use of greenery as a visual screen and in the reduction of noise. Deputy Mayor Pro-Tem Dixon recommended returning to variant setbacks. Councilmember Andres discussed landscaping maintenance standards and requested it be and agenda item for the next quarterly HOA Presidents meeting.

At this time Mayor Smith allowed Bond Committee Member Ken Weaver to speak on Item 3. Committee Member Weaver thanked the Council for forming the bond committee. He thanked Prosper Economic Development Corporation Board Member and Bond Committee Member David Bristol, Executive Director of Administrative Services Chuck Springer and staff for organized and focused meetings. Additionally, he thanked all the Bond Committee Members for a job well done. Committee Member Weaver stated he fully supports the bond issuance and the associated tax increase.

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 consider employment of Municipal Judge and all matters incident and related thereto.

Section 551.071 - Consultation with the Town Attorney regarding legal issues associated with alcoholic beverage local option elections and all matters incident and related thereto.

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 7:27 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 8:59 p.m.

Councilmember Miller made a motion and Councilmember Hodges seconded the motion to authorize the Town Manager to execute the following:

The Municipal Court Judge Agreement between the Town of Prosper, Texas, and Judge David Moore.

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

Councilmember Miller made a motion and Councilmember Hodges seconded the motion to authorize the Town Manager to execute the following:

The Fourth Amended Economic Development Incentive Agreement between the Town of Prosper, Texas, and Northeast 423/380 Ltd., and Northwest 423/380 L.P.

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

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

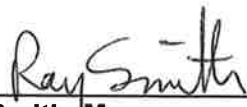
There were no topics identified.

Adjourn.

The meeting was adjourned at 9:02 p.m. on Tuesday, July 14, 2020.

These minutes approved on the 28th day of July 2020.

APPROVED:



Ray Smith, Mayor

ATTEST:



Melissa Lee, Town Secretary

