



MINUTES
Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, October 8, 2024

Call to Order/ Roll Call.

The meeting was called to order at 6:17 p.m.

Council Members Present:

Mayor David F. Bristol
Mayor Pro-Tem Marcus E. Ray
Deputy Mayor Pro-Tem Amy Bartley
Councilmember Craig Andres
Councilmember Chris Kern
Councilmember Jeff Hodges
Councilmember Cameron Reeves

Staff Members Present:

Mario Canizares, Town Manager
Terry Welch, Town Attorney
Michelle Lewis Sirianni, Town Secretary
Bob Scott, Deputy Town Manager
Chuck Ewings, Assistant Town Manager
Robyn Battle, Executive Director
Chris Landrum, Finance Director
Whitney Rehm, Budget Officer & Grants Administrator
David Hoover, Development Services Director
Hulon Webb, Engineering Director
Pete Anaya, Assistant Engineering Director – Capital Projects
Muya Mwangi, Help Desk Technician I
Dan Baker, Parks & Recreation Director
Carrie Jones, Public Works Director
Todd Rice, Communications Director
Doug Kowalski, Police Chief
Scott Brewer, Assistant Police Chief
Aidan Daily, Police Crime Analyst
Stuart Blasingame, Fire Chief

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

Bob Scott, Deputy Town Manager led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

Announcements of recent and upcoming events.

Councilmember Reeves made the following announcements:

Thank you to everyone who joined us for “Celebrate Prosper” this past Saturday. A special thank you to the Parks and Recreation Department, our volunteers, and all those who were involved in making it a great event.

Join fellow active adults 55+ to meet and greet Mayor Bristol at the annual Mayor's luncheon on Wednesday, October 16 from 11 a.m. to 1 p.m. at the Church of Jesus Christ of Latter-Day Saints located at 970 N. Coit Road. Reserve your seat by contacting the Parks and Recreation Department at 972-569-1064.

Join the Prosper Community Library on Monday, October 28 from 6:00 to 7:00 p.m. for a Trick or Treat event designed especially for children with special needs and their families. Staff will provide non-food items on both floors of the library. Wheelchairs are welcome with the use of the elevator and costumes are not mandatory. The event is open to all ages.

Join the Town for its annual Arbor Day Celebration on Friday, November 1 at 5:00 p.m. at Frontier Park. The Parks Operations staff will demonstrate proper planting techniques and the care and feeding of plants. Thank you to Day Star Landscapes for sponsoring this year's event.

Registration is now open for the annual Prosper Veterans Day Honor Run. Join us on Saturday, November 9, as we salute the men and women who have served in our nation's military. This year the event has been extended to include a 5K, a 10K, and a fun run. Events are open to runners and walkers of all ages. All proceeds benefit the Prosper Veterans Memorial at Frontier Park. Register today by visiting prospertx.gov/veteransday5k.

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 at the request of Council Members or staff.

1. **Consider and act upon the minutes from the September 24, 2024, Town Council Regular meeting. (MLS)**
2. **Consider and act upon authorizing the Town Manager to execute an agreement with Medical City of Plano for Medical Control and Continuing Education Services for \$86,625. (SB)**
3. **Consider and act upon approving the purchase of pharmaceuticals and emergency medical supplies from Bound Tree Medical, LLC, at the unit prices bid through a City of Richardson contract in an amount not to exceed \$125,000. (SB)**
4. **Consider and act upon approving funding for expenses of scheduled and unscheduled maintenance and repairs by Siddons-Martin Emergency Group, LLC for the Fire Department apparatus including fire engines and aerial trucks in an amount not to exceed \$150,000. (SB)**
5. **Consider and act upon approving the purchase of uniforms and equipment from Galls, LLC through the North Texas Share First Responder Uniforms Contract #2021-073 in an amount not to exceed \$90,000. (SB)**
6. **Consider and act upon approving the purchase of one (1) new Caterpillar Inc. model: 303.5 compact construction mini-excavator (mini-ex) for the Stormwater Division of Public Works for \$73,644. (CJ)**
7. **Consider and act upon authorizing the Town Manager to execute documents for the emergency repair of the signalized intersection at Frontier Parkway and Dallas North Tollway for \$63,200. (CJ)**

8. **Consider and act upon Ordinance 2024-65 establishing a no-parking zone on Chaucer Drive from First Street to Clearwater Drive and Winsor Drive from First Street to Clearwater Drive. (HW)**
9. **Consider and act upon authorizing the Town Manager to execute a Construction Agreement awarding CSP No. 2024-32-B to WG Engineering & Construction, LLC, related to the Traffic Signal at Gee Road and Acacia Parkway project, for \$454,478. (PA)**
10. **Consider and act upon Resolution 2024-66 authorizing the Town Manager to execute a Local On-System Improvement Project Agreement between the Texas Department of Transportation (TxDOT), and the Town of Prosper, Texas, related to the design and construction of the FM 1385 at Magnolia traffic signal, in the amount of \$440,004. (HW)**
11. **Consider and act upon authorizing the Town Manager to execute a License, Maintenance & Hold Harmless Agreement between The Tavern on Broadway, LLC, and the Town of Prosper relative to Silo Park Addition, Block A, Lot 3. (DH)**

Mayor Bristol requested to pull item 9.

Mayor Pro-Tem Ray requested to pull item 8.

Councilmember Hodges made a motion to approve consent agenda items 1 through 7, 10, and 11. Mayor Pro-Tem Ray seconded the motion. Motion carried unanimously.

Councilmember Andres left the dais.

Item 8, Mayor Pro-Tem Ray asked if Clearwater Way was considered as part of the no-parking zone. Mr. Webb noted the focus at this time is the entrances; however, if the issue shifts to this street, the HOA is prepared to gather the information needed from the residents to have the street added.

Item 9, Mayor Bristol asked about the process of the bid criteria including the differences in the timelines to complete the project from each bid received. Mr. Anaya commented on the bids the Town received based on the criteria set, and the ranking and evaluation matrix of each bid. Based on these criteria, the Town selected the company based on the number of days to complete the project.

Councilmember Reeves made a motion to approve items 8 and 9. Deputy Mayor Pro-Bartley seconded the motion. Motion carried unanimously.

Councilmember Andres returned to the dais.

CITIZEN COMMENTS

Morrie Gamini with Roadway Solutions noted his opposition to agenda item 9 and requested the Town Council to reconsider. He commented that his company was the lowest bidder and was not contacted by the Town to consider or negotiate if the number of completion days could be altered.

Susan Periquet, 750 Foxfield Court, spoke concerning item 13. Her house backs up to the area where the Town is considering additional parking. She and a few of her neighbors have met with

staff regarding solutions to protect their view from their backyards. They would like to request additional trees, a berm, and/or a variance from the Town's ordinances to change their privacy fence.

Items for Individual Consideration:

- 12. Consider and act upon authorizing the Town Manager to execute Amendment #1 to a Letter Agreement between the Town of Prosper and Olsson Studio related to preparation of Construction Documents for the Downtown Monumentation Project for an amount not to exceed \$92,700. (RB)**

Ms. Battle introduced the item and Mr. Chris Calahan, Senior Landscape Architect, provided an overview of the proposed monumentation, which included seven lighted archway structures, locations, future monuments, and costs associated with the project. Ms. Battle noted the Downtown Advisory Committee is recommending a phasing plan and reaffirmed the recommendation to proceed with the preparation of construction documents after receiving the updated cost proposal. The estimated date of completion for the Construction documents is February 2025. Upon approval of this item, funding will need to be identified, and the Town will solicit bids from qualified vendors.

Deputy Mayor Pro-Tem Bartley asked if the construction documents would take into account future roadway widening projects in this area. Ms. Battle noted staff will work in coordination with Olsson Studio and the other designated architect when the road projects are being completed to ensure they are done in conjunction with one another.

Mayor Pro-Tem Ray made a motion to approve authorizing the Town Manager to execute Amendment #1 to a Letter Agreement between the Town of Prosper and Olsson Studio related to preparation of Construction Documents for the Downtown Monumentation Project for an amount not to exceed \$92,700. Councilmember Hodges seconded the motion. Motion carried unanimously.

Mayor Bristol moved item 14 before 13.

- 14. Discussion regarding the timing of a 2025 November Bond Election process. (RBS)**

Mr. Scott provided an overview and timing of a proposed 2025 Bond Election to ensure a thorough review and prioritization of projects before the deadline for calling the election.

- 13. Consider and act upon approving Change Order No. 1 for CSP No. 2023-34-B, (Lakewood Park Construction) to Ratliff Hardscape related to the construction of an additional 52-space parking lot including subbase materials, striping, signage, and an evergreen screen, Zap Stand pad and electrical service, and a four-foot fence extension with windscreen around four pickleball courts for \$411,819. (DB)**

Mr. Baker presented an overview of the components in the change order and the consideration of additional parking spaces on the south side of the existing lot. The parking lot expansion was presented to the CIP Subcommittee and the Parks and Recreation Board. Both recommended approval with the Park Board recommending additional conditions. Mr. Baker presented the concerns raised by the residents and noted their requests if the item should be approved by the Town Council.

The Town Council discussed the additional landscaping requested, the overall impact of its screening and location, and concerns about the overall number of parking spaces based on the park amenity uses.

Deputy Mayor Pro-Tem Bartley made a motion to approve as presented with the addition of the landscaping items recommended by the Parks and Recreation Board to include a living screen consisting of larger Nellie R Stevens hollies, allowing the grass south of the parking lot to be managed a a taller height, plant wildflowers, and allow the area to be mowed in a manner consistent with a natural area. Councilmember Reeves seconded the motion. Motion carried unanimously.

15. Discuss and consider Town Council Subcommittee reports. (DFB)

Legislative Subcommittee: Ms. Battle noted the committee has drafted a 2025 agenda with key areas of focus which will be presented to the Council at an upcoming meeting for approval.

Community Engagement Committee: Deputy Mayor Pro-Tem Bartley noted the committee is looking at the calendar of events and looking to combine, shuffle, and refine the list. Councilmember Hodges added the committee also is working on a historical marker project.

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

Deputy Mayor Pro-Tem Bartley requested the continuance of enforcement of the Town's policy on landscaping and replacement of dead materials.

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 the 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 legal issues associated with code enforcement activities and substandard structures, and all matters incident and related thereto.

Section 551.071 - To consult with the Town Attorney regarding BFS Real Estate LLC, et al., v. Town of Prosper, et al., pending in the 471st Judicial District Court of Collin County, Texas; discuss and consider legal issues regarding traffic ordinances; and all matters incident and related to the foregoing.

The Town Council recessed into Executive Session at 7:32 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 8:55 p.m.

No action was taken.

Adjourn.

The meeting was adjourned at 8:55 p.m.

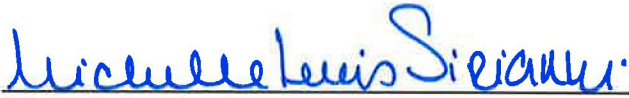
These minutes were approved on the 22nd day of October 2024.

APPROVED:



David F. Bristol, Mayor

ATTEST:



Michelle Lewis Sirianni, Town Secretary

