



**Agenda**  
**Prosper Town Council Meeting**  
Prosper Town Hall, Council Chambers  
250 W. First Street, Prosper, Texas  
Tuesday, November 14, 2023  
**6:15 PM**

Welcome to the Prosper Town Council Meeting.

Citizens may watch the meeting live by using the following link: [www.prospertx.gov/livemeetings](http://www.prospertx.gov/livemeetings)

**Addressing the Town Council:**

Those wishing to address the Town Council must complete the Public Comment Request Form located on the Town's website or in the Council Chambers.

**If you are attending in person**, please submit this form to the Town Secretary or the person recording the minutes for the Board/Commission prior to the meeting. When called upon, please come to the podium, and state your name and address for the record.

**If you are watching online**, please submit this form to the Town Secretary prior to 4:00 p.m. on the day of the meeting in order for your comments to be read into the record. The Town assumes no responsibility for technical issues beyond our control.

In compliance with the Texas Open Meetings Act, the Town Council/Board/Commission may not deliberate or vote on any matter that does not appear on the agenda. The Council/Board/Commission, however, may provide statements of fact regarding the topic, request the topic be included as part of a future meeting, and/or refer the topic to Town staff for further assistance.

Citizens and other visitors attending Town Council meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the Town Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the Town Council or while attending the meeting shall be removed from the room, if so directed by the Mayor or presiding officer, and the person shall be barred from further audience before the Town Council during that session. Disruption of a public meeting could constitute a violation of Section 42.05 of the Texas Penal Code.

**Call to Order/ Roll Call.**

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

**Announcements of recent and upcoming events.**

**Presentations.**

1. Proclamation recognizing November 18, 2023, as National Injury Prevention Day. (MLS)
2. Proclamation recognizing December 9, 2023, as Salvation Army Red Kettle Campaign Day. (MLS)
3. Proclamation recognizing November 13-17, 2023, as National GIS Awareness Week. (MLS)
4. Recognize individuals and the Fire Department for Life Saving efforts and awards. (SB)

5. Recognition of Charles Ewings for his dedicated service in the Texas Air National Guard. (DFB)

**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.

6. Consider and act upon the minutes from the October 24, 2023, Town Council Work Session meeting. (MLS)
7. Consider and act upon the minutes from the October 24, 2023, Town Council Regular meeting. (MLS)
8. Receive the Quarterly Investment Report for September 30, 2023. (CL)
9. Consider and act upon a resolution approving the Town of Prosper and Prosper Economic Development Corporation (PEDC) Investment Policy and Investment Strategy and approving the list of qualified brokers/dealers and financial institutions that are authorized to engage in investment transactions with the Town of Prosper and the PEDC. (RBS)
10. Consider authorizing the Town Manager to execute a six-month renewal of the Professional Services Agreement between Valley View Consulting, L.L.C., and the Town of Prosper, Texas, related to Investment Advisory services. (RBS)
11. Consider approval of adding Chapter 21, Capital Projects Management Policy to the Town's Administrative Regulations. (RBS)
12. Consider and act upon a resolution casting its votes for the Collin County Central Appraisal District Board of Directors (CCAD). (MLS)
13. Consider and act upon a resolution casting its votes for the Denton County Central Appraisal District Board of Directors (DCAD). (MLS)
14. Consider and act upon approving the expenditure for annual software assurance of the Town's computer aided dispatch and record management systems for Public Safety, from Integrated Computer Systems, Inc., a sole source provider. (LJ)
15. Consider and act upon approval of various annual maintenance, repair, and operational purchases for the Information Technology Department during FY 2024. (LJ)
16. Consider and act upon approving the purchase of Brine Master BM 3000 and ICE Master T-Series truck mounted applicator, from C&H Outdoor, LLC, through the Sourcewell Purchasing Cooperative; and authorizing the Town Manager to execute documents for the same. (FJ)
17. Consider and act upon approval of a portion of the FY24 vehicle and VEF equipment purchases utilizing cooperative purchasing contracts and approving the Town Manager to execute documents for same. (CL)
18. Consider and act upon approving a Services Agreement with Strategies 360 Texas, LLC, for Strategic Advocacy Services, and authorize the Town Manager to execute the same. (RB)

19. Consider and act upon approving an amendment to the agreement with Bureau Veritas for Annual Fire Safety Inspections; and authorize the Town Manager to execute the same. (SB)
20. Consider and act upon authorizing the Town Manager to execute a Professional Service Agreement between Front Line Mobile Health, PLLC, and the Town of Prosper Fire Rescue related to annual medical evaluations. (SB)
21. Consider and act upon approving an agreement with Medical Center of Plano for Medical Control and Continuing Education Services; and authorize the Town Manager to execute the same. (SB)
22. Consider and act upon authorizing the Town Manager to execute a Service Agreement between Cut with Craft and the Town of Prosper related to landscape maintenance for fire stations. (SB)
23. Consider and act upon authorizing the Town Manager to execute an Escrow Agreement between Prosper Independent School District (PISD), and the Town of Prosper, Texas, related to the design and construction of improvements on Teel Parkway and at the intersection of First Street and Artesia Boulevard adjacent to the Richland High School property. (HW)
24. Consider and act upon authorizing the Town Manager to execute a Water Impact Fee Agreement between DNT Frontier, LP, and the Town of Prosper, Texas, related to the construction of a water line to serve the DNT Frontier Retail Center development. (HW)
25. Consider and act upon authorizing the Town Manager to execute a Professional Engineering Services Agreement between Stantec Consulting Services, Inc., and the Town of Prosper, Texas, related to the design of traffic signals on First Street at Artesia Boulevard and on Teel Parkway at Prairie Drive. (HW)
26. Conduct a public hearing and consider and act upon a request for an extension of a Specific Use Permit (SUP) for a Concrete Batching Plant on 5.0± acres, located south of West First Street and west of South Dallas Parkway. The property is zoned Planned Development-19 (PD-19) Lattimore Batch Plan North and Specific Use Permit-6 (S-6) Nelson Bros Concrete Batch Plant. (S20-0002) (DH)
27. Consider and act upon whether to direct staff to submit a written notice of appeals 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 Plans. (DH)

### **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 Comment Request Form" and present it to the Town Secretary prior to the meeting. Please limit your comments to three minutes. If multiple individuals wish to speak on a topic, they may yield their three minutes to one individual appointed to speak on their behalf. All individuals yielding their time must be present at the meeting, and the appointed individual will be limited to a total of 15 minutes.

### **REGULAR AGENDA:**

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. [If you wish to address the Council, please fill out a "Public Comment Request Form" and present it to the Town Secretary, preferably before the meeting begins.]

**Items for Individual Consideration:**

28. Conduct a public hearing and consider and act upon a request for a Planned Development for an Office/Retail Building on 0.4± acres, for Bryant's First Addition, Block 11, Lots 1, 11 and 12, located on the northeast corner of South Coleman Street and East Third Street. The property is zoned Single Family-15. (ZONE-23-0027) (DH)
29. Conduct a public hearing and consider and act upon a request for a Planned Development for an Office Building on 0.5± acres, for Bryant's First Addition, Block 22, Lots 7-9, located on the northwest corner of South Parvin Street and East Second Street. The property is zoned Single Family-15. (ZONE-23-0028) (DH)
30. Conduct a public hearing to consider and act upon amending Chapter 2, Section 13 – Multifamily District; Chapter 4, Section 4.3 – Non-residential and multifamily parking provisions; and Chapter 4, Section 8 – Non-Residential & Multifamily Design and Development of the Town of Prosper Zoning Ordinance to modify Multifamily development standards. (ZONE-23-0024) (DH)
31. Conduct a public hearing to consider and act upon amending Chapter 4, Section 5.2 – Location of Required Screening, of the Town of Prosper Zoning Ordinance to modify the screening requirements for trash and recycling collection areas. (ZONE-23-0025) (DH)
32. Conduct a public hearing to consider and act upon amending Chapter 3, Section 1.4, Subpart 38 – Automobile Sales/Leasing, Used, of the Town of Prosper Zoning Ordinance to provide additional criteria for this use. (ZONE-23-0026) (DH)
33. Consider and act upon a resolution of the Town Council of the Town of Prosper, Texas, declaring the public necessity to acquire certain properties for right-of-way, and temporary construction easements for the construction of the First Street (DNT - Coleman) 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 if purchase negotiations are not successful. (HW)
34. Discuss development strategies for Economic Development. (MM) *[Continuation from the Work Session if needed.]*
35. Discuss and consider Town Council Subcommittee reports. (DFB)

**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 and all matters incident and related thereto.*

*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.*

**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, November 10, 2023, and remained so posted at least 72 hours before said meeting was convened.

\_\_\_\_\_  
Michelle Lewis Sirianni, Town Secretary

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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.