



Agenda
Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, September 13, 2022
6:15 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: 871 8988 9684

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 4:00 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, 2022, as Constitution Week. (MLS)
2. Receive an update regarding the Pickleball Tournament. (TH)
3. Receive an update from the IT Department. (LJ)

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 of the August 23, 2022, Town Council meeting. (MLS)
5. Consider and act upon the minutes of the August 29, 2022, Town Council special meeting. (MLS)
6. Consider and act upon the minutes of the August 30, 2022, Town Council special meeting. (MLS)
7. Receive the Quarterly Investment Report. (RBS)
8. 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)
9. Consider and act upon a resolution authorizing various individuals as signers of specific accounts and certain investment matters. (RBS)
10. Consider authorizing the Town Manager to amend an existing contract by changing the scope of services with Pattillo, Brown Hill L.L.P. (PBH) from external audit services to professional services for an amount not to exceed \$45,000.00. (RBS)
11. Consider and act upon adopting the FY 2022-2023 Prosper Economic Development Corporation budget. (MM)
12. Consider and act upon approving Amendment Sixteen to the Interlocal Agreements between Collin County and the Town of Prosper, Texas, for Animal Sheltering Services and Animal Control Services; and authorizing the Interim Town Manager to execute the same. (MB)
13. Consider and act upon the appointment of a Municipal Judge, and authorize the Mayor to execute an agreement for same. (MLS)
14. Consider and act upon awarding CSP No. 2022-54-B to Ratliff Hardscape, Ltd. related to construction services for the Pecan Grove Park, Ph 2 (2145-PK), and authorizing the Interim Town Manager to execute a construction agreement for same. (DB)
15. Consider and act upon authorizing the Interim Town Manager to execute a Professional Engineering Services Agreement between Kimley - Horn and Associates, Inc., and the Town of Prosper, Texas, related to the development of the Town of Prosper ADA Transition Plan. (HW)
16. Consider and act upon awarding CSP No. 2022-48-B to Mario Sinacola & Sons Excavating, Inc., related to construction services for the First Street (Coit to Custer) - 4 lanes project; and authorizing the Interim Town Manager to execute a construction agreement for same. (HW)

17. Consider and act upon authorizing the Interim Town Manager to execute a Professional Services Agreement between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the update of the Comprehensive Plan. (DS)
18. Consider and act upon a resolution authorizing the Interim Town Manager, and/or his/her designee, to apply for the Office of the Governor, Criminal Justice Division, Bullet-Resistant Shield Grant Program, FY2023. (DK)
19. Consider an act upon approval of the Prosper Youth Sports Commission (PYSC) Bylaw amendments. (DB)
20. 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 Plans and Preliminary Site Plans, including Lighthouse Church, First Baptist Church, and PISD Bryant Elementary School. (DS)

CITIZEN COMMENTS

The public is However invited to address the Council on any topic., 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.

REGULAR AGENDA:

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. 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:

21. Conduct a public hearing and consider and act upon a request to rezone 7.9± acres from Office (O) to Planned Development-Office (PD-O), generally to modify the development standards to facilitate an office/retail development, including drive-through coffee shop as a permitted use, located on the northwest corner of Preston Road and Coleman Road. (Z21-0013). (DS)
22. Conduct a public hearing and consider and act upon a request to rezone 5.6± acres from PD-21 and Single Family-15 (SF-15) to a new Planned Development-Office/Retail (PD-O/R) for office and retail uses, located on the west side of Preston Road north of Broadway Street. (Z22-0014). (DS)
23. Conduct a public hearing and consider and act upon a request to rezone 11.3+- acres of Commercial (C) to Planned Development-Commercial (PD-C) to allow uses such as luxury office/warehouse, automobile storage, and recreational vehicle parking, located on the west side of Coleman Street, south of Prosper Trail. (Z22-0008). (DS)
24. Conduct a public hearing and consider and act upon a request for a Specific Use Permit (SUP) for a Private Street Development, on 16.4± acres, located on the south side of First Street, east of Coit Road (S22-0008). (DS)

25. Consider and act upon an ordinance adopting the fiscal year (FY) 2022-2023 Annual Budget and Capital Improvement Program for the fiscal year beginning October 1, 2022 and ending September 30, 2023. (RBS)
26. Conduct a public hearing to consider and act upon an ordinance adopting a tax rate of \$0.51 per \$100 valuation for fiscal year 2022-2023. (RBS)
27. Make a motion to ratify the property tax increase in the budget for fiscal year (FY) 2022-2023. (RBS)
28. Consider and act upon an ordinance amending Article 1.04, "Boards, Commissions and Committee," of Chapter 1, "General Provisions," of the Code of Ordinances establishing the Community Engagement Committee as a standing advisory committee to the Town Council. (RB)

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

29. Discuss update to the Thoroughfare Plan. (HW)
30. Discussion regarding a potential Capital Improvements Sub-Committee. (RKP)

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 matter 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.

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, Planning & Zoning Commission, and the Community Engagement Committee, and all matters incident and related thereto.

Section 551.071 - To consult with the Town Attorney to address legal issues associated with board and commission member terms of office, 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, September 9, 2022, and remained so posted at least 72 hours before said meeting was convened.

Michelle Lewis Sirianni, 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.