



Prosper is a place where everyone matters.

Agenda
Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
200 S. Main Street, Prosper, Texas
Tuesday, September 10, 2019
5:45 PM

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 Preston Ridge Chapter of the Daughters of the American Revolution declaring September 17-23, 2019, as *Constitution Week*. **(RB)**

AGENDA BRIEFING:

Questions About Items Listed on the Regular Meeting Agenda.

Discussion Items.

2. Discussion on Revised Empowerment Zones and Architectural Standards for the Downtown Commercial and Residential Areas. **(JW)**
3. Discussion on the Town Hall Lobby Art project. **(RB)**

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 August 27, 2019, Town Council meeting. **(RB)**
5. Consider and act upon a resolution designating *The Prosper Press* as the official newspaper of the Town of Prosper, and *The Dallas Morning News* as an alternative advertising source, for Fiscal Year 2019-2020. **(RB)**
6. Consider and act upon adopting the FY 2019-2020 Prosper Economic Development Corporation budget. **(RS)**
7. Consider and act upon an ordinance approving a tariff authorizing an annual rate review (RRM) mechanism settlement between the Atmos Cities Steering Committee and Atmos Energy Corporation regarding the Company's 2019 rates set by the settlement as a substitution for the annual interim rate adjustment process defined by section 104.301 of the Texas Utilities Code. **(KN)**
8. Consider and act upon approving an Amendment to the Facility Management Services Agreement between TDIndustries, Inc., and the Town of Prosper Texas, through the

- National Cooperative Purchasing Alliance (NCPA); and authorizing the Town Manager to execute the same. **(CS)**
9. Consider and act upon an ordinance amending Chapter 13, "Utilities," of the Town's Code of Ordinances by adopting a new Article 13.13, "Wastewater Inflow Prevention Plan"; and adopting a Wastewater Inflow Prevention Plan. **(FJ)**
 10. Consider and act upon authorizing the Town Manager to execute an Amendment to the First Amended Interlocal Agreement by and between the Town of Prosper, Texas and Collin County, Texas for the facility construction and use of an animal shelter in Collin County. **(JW)**
 11. Consider and act upon authorizing the Town Manager to execute Amendment Thirteen to the Interlocal Agreement between Collin County and the Town of Prosper, extending the agreement through FY 2019-2020, relating to Animal Control Services. **(JW)**
 12. Consider and act upon an ordinance abandoning a portion of Fishtrap Road prescriptive right-of-way, located north of the intersection of Fishtrap Road and Gee Road, north of US 380. **(AG)**
 13. Consider and act upon an ordinance abandoning portions of Good Hope Road prescriptive right-of-way, located north of US 380 and south of a point 150 feet north of Mill Branch Drive. **(AG)**
 14. Consider and act upon an ordinance abandoning a portion of S. Coleman Street right-of-way, located south of First Street, north of Preston Road. **(AG)**
 15. 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)**

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 Meeting Appearance Card" and present it to the Town Secretary prior to the meeting.

REGULAR AGENDA:

If you wish to address the Town Council, please fill out a "Public Meeting Appearance Card" 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:

16. Conduct a Public Hearing, and consider and act upon an ordinance to amend Planned Development-33 (PD-33), on 127.9± acres, located on the southwest corner of Prosper Trail and Cook Lane, to allow for the expansion of a House of Worship (Prestonwood Baptist Church), including a Private School and Gymnasium. (Z19-0012). **(AG)**

17. Consider and act upon an ordinance adopting the Fiscal Year 2019-2020 Annual Budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020. **(KN)**
18. Consider and act upon an ordinance adopting the Town of Prosper 2019 Property Tax Rate. **(KN)**
19. Consider and act upon a resolution adopting the Fiscal Year 2019-2020 Capital Improvement Program. **(HW)**
20. Consider and act upon an ordinance amending various Town Fees; amending Appendix A, "Fee Schedule," to the Town's Code of Ordinances by amending Section 1, "Construction Permits and Fees," by adding a new subsection (c), "Third Party Geotechnical and Material Testing Fees," and a new subsection (d), "Camera Inspection Fee for Wastewater Mains"; amending subsection (2), "Other Fees," of Section V, "Development Fees," of Appendix A, "Fee Schedule," to the Town's Code of Ordinances by adding thereto a new subpart (l), "Engineering Plan Review Fees"; repealing existing Section IX, "Water and Sewer Rates," and replacing it with a new section IX, "Water and Sewer Rates." **(KN)**
21. Discussion on the Downtown Open Space. **(DR)**

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 appointments to the Board of Adjustment/Construction Board of Appeals, Parks & Recreation Board, Library Board, Prosper Economic Development Corporation Board, and Planning & Zoning Commission.

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

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

22. Discuss Development and Infrastructure Fees. **(JW/HW)**
23. Discuss Tailgate Party. **(RB)**

Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 200 S. Main 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 6, 2019, and remained so posted at least 72 hours before said meeting was convened.

Robyn Battle, 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.