



Prosper is a place where everyone matters.

Agenda
Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, November 12, 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 the Government Finance Officer Association (GFOA) Award for Outstanding Achievement in Popular Annual Financial Reporting. **(KN)**

Discussion Items.

2. Downtown Live! Discussion **(DR)**

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.

3. Consider and act upon the Minutes from the October 22, 2019, Town Council Meeting. **(RB)**
4. Receive the September Financial Report. **(KW)**
5. Receive the Quarterly Investment Report. **(KW)**
6. Consider and take action upon a resolution expressing official intent to reimburse costs of Town capital improvement program projects that may be funded with proceeds of bonds or other obligations, if those costs are paid prior to the issuance of such bonds or other obligations. **(KW)**
7. Consider and act upon a resolution appointing members to the Board of Directors of the Town of Prosper Crime Control and Prevention District. **(KW)**
8. Consider and act upon authorizing the Competitive Sealed Proposal (CSP) procurement method for construction of the Fishtrap Road (Teel Intersection Improvements) and Fishtrap & Teel Parkway Traffic Signal projects. **(PA)**
9. Consider and act upon authorizing the Town Manager to execute an Interlocal Agreement between the Prosper Independent School District, and the Town of Prosper, Texas, related to the construction and/or expansion of Segments 1 through 4 of Fishtrap Road. **(HW)**

10. Consider and act upon a request for a Subdivision Waiver for a lot without street frontage for the Mav Addition, Block A, Lot 4, on 4.4± acres, located north side of Fishtrap Road, west of Legacy Drive. The property is zoned Office (O). (D19-0062). **(AG)**
11. Consider and act upon a request to permit open fencing in the front yard of Lot 14, Prestonview Estates, Phase 1, located at 8967 Prestonview Drive. (V19-0003). **(JW)**
12. 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 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:

13. Conduct a Public Hearing, and consider and act upon an ordinance modifying the development standards of Planned Development-40 (PD-40), for Windsong Ranch, regarding key lot side yard setbacks. (Z19-0015). **(AG)**
14. Conduct a Public Hearing, and consider and act upon a request to amend Planned Development-68 (PD-68), Shops at Prosper Trail, on 33.2± acres, located on the northeast corner of Preston Road and Prosper Trail, generally to modify the development standards, including but not limited to permitting a drive-through restaurant, outdoor sales and display, modified parking regulations, and architectural design. (Z19-0017). **(AG)**
15. Consider and act upon authorizing the Town Manager to execute Contract Amendment #1 to the Professional Services Agreement between Halff Associates, Inc., and the Town of Prosper, Texas, related to the design of the Prosper Trail (Coit – Custer) project. **(PA)**
16. Consider and act upon an ordinance amending Subpart (4) "Amount of Park Improvement Fee," of Subsection (H), "Park Improvement Fee," of Section 6.20, "Park Land Dedications, and Fees," of Section 6, "Subdivision Design Standards," of the Subdivision Ordinance by removing park improvement fee amounts; amending Subsection (2) "Other Fees," of Section V, "Development Fees," of Appendix A, "Fee Schedule," of the Town's Code of Ordinances, by establishing new park improvement fees and amending the term, "Park Fee" to "Park Land Fee Lieu of Dedication" in the "Fee Schedule." (MD19-0008) **(DR/JW)**

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 551.071 - Consultation with the Town Attorney regarding legal issues associated with incentivization and revitalization of residential construction in the Old Town District, and all matters incident and related thereto.

Section 551.071 - Consultation with the Town Attorney regarding legal issues associated with ordinance waivers, exceptions, and recommendations, and all matters incident and related thereto.

Section 551.071 - Consultation with the Town Attorney regarding legal issues relative to Section 1.03.002 of the Town’s Code of Ordinances, 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.

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

- 17. No parking on Talon. (HW)
- 18. Fence on west side of Talon. (HW)

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 8, 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.