



Prosper is a place where everyone matters.

Agenda
Prosper Town Council Meeting
Tuesday, April 28, 2020
5:45 PM

Notice Regarding Public Participation

Governor Greg Abbott has granted a temporary suspension of certain rules to allow for telephone or videoconference public meetings in an effort to reduce in-person meetings that assemble large groups of people, due to the COVID-19 public health emergency.

Individuals may access the Prosper Town Council meeting videoconference, or telephone conference call.

Join the Zoom Meeting by clicking on the following link: <https://zoom.us/j/96966785332>

Enter Meeting ID: 96966785332

To request to speak, click on “Participants” at the bottom of the screen, and click “Raise Hand.” The meeting moderator will acknowledge your request and allow you to speak.

To join the meeting by phone, dial (346) 248-7799

Enter Meeting ID: 96966785332

To request to speak, enter *9, and *6 to mute/unmute yourself. The meeting moderator will acknowledge your request and allow you to speak.

If you encounter any problems joining or participating in the meeting, please call our help line at 972-569-1191 for assistance.

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.

Call to Order/ Roll Call.

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

Announcements of recent and upcoming events.

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.

1. Consider and act upon the minutes from the April 14, 2020, Town Council Meeting. **(ML)**

2. Consider and act upon an ordinance extending a local state of disaster due to a public health emergency. **(RB)**
3. Consider and act upon a resolution authorizing the placement of orders for the purchase of replacement vehicles in FY 2020-2021 to realize current incentives related to said purchase with payment to be made from the Town's Vehicle Equipment and Replacement Fund (VERF) in FY 2020-2021. **(BP)**
4. Consider and act upon a resolution to deny the application of Oncor Electric Delivery Company LLC for approval to amend its distribution cost recovery factor to increase distribution rates within the Town. **(BP)**
5. Consider and act on a resolution repealing Resolution No. 14-04 in regard to Neighborhood Empowerment Zone Number 2. **(JW)**
6. Consider and act on an ordinance amending Article 3.14, "Signs," of Chapter 3, "Building Regulations," of the Code of Ordinances regarding the allowance of changeable electronic message board signs and other illuminated signs for real estate signs in residential areas including definitions, regulations, and restrictions. **(JW)**
7. 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 submit it to the Town Secretary prior to the meeting, or request to address the Council via videoconference or telephone.

REGULAR AGENDA:

Items for Individual Consideration:

8. Consider and act upon an ordinance of the Town of Prosper, Texas amending Chapter 13, "Utilities," of the Town's code of ordinances, by adding thereto a new Section 13.07.009, "No Penalties or Disconnections During Coronavirus Public Health Emergency; and Creation of Coronavirus Disaster Economic Relief Fund" and authorizing the Town Manager to enter into a Memorandum of Understanding with Cornerstone Assistance Network of North Central Texas. **(CS)**
9. Conduct a Public Hearing, and consider and act upon an ordinance amending Special Purpose Sign District-5 (SPSD-5), regarding Unified Development and Monument Sign regulations, in Windsong Ranch Marketplace, located on the northeast corner of US 380 and Gee Road. **(AG)**
10. Consider and act upon awarding CSP No. 2020-54-B to Durable Specialties, Inc., related to construction services for the Fishtrap Road and Teel Parkway Traffic Signal project; and authorizing the Town Manager to execute a construction agreement for same. **(PA)**

11. Consider and act upon awarding Bid No. 2020-41-B to McMahon Contracting LP, related to construction services for the Victory Way project; and authorizing the Town Manager to execute a construction agreement for same. **(PA)**
12. Consider and act upon awarding Section 1 of Bid No. 2020-40-B to Reliable Paving, Inc., related to construction services for the Coit Road and US 380 SB Right Turn Lane project; and authorizing the Town Manager to execute a construction agreement for same. **(PA)**
13. Consider and act upon an ordinance amending Ordinance No. 19-65 (FY 2019-2020 Budget) and Capital Improvement Plan. **(BP)**
14. Consider and act upon a request to waive the Town's Drainage System Design Requirements for a wet or underground detention pond for the detention pond on the Rhea Mill's Baptist Church Tract with new expansion. **(DH)**
15. Consider and Act upon on approving the Preferred Downtown Scenario and the Town Hall Open Space Master Plan. **(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 and consider personnel matters and all matters incident and related thereto.

Section 551.074 - To discuss and review the Town Manager's performance evaluation.

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.

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, April 24, 2020, and remained so posted at least 72 hours before said meeting was convened.

Melissa Lee, 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.