



Prosper is a place where everyone matters.

Minutes

Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, December 10, 2019
5:45 PM

Call to Order/ Roll Call.

The meeting was called to order at 5:45 p.m.

Council Members Present:

Mayor Ray Smith
Mayor Pro-Tem Curry Vogelsang, Jr.
Councilmember Marcus E. Ray
Councilmember Craig Andres
Councilmember Jeff Hodges

Council Members Absent:

Deputy Mayor Pro-Tem Jason Dixon
Councilmember Meigs Miller

Staff Members Present:

Harlan Jefferson, Town Manager
Terry Welch, Town Attorney
Robyn Battle, Town Secretary/Public Information Officer
Chuck Springer, Executive Director of Administrative Services
Betty Pamplin, Accounting Manager
Liz McDonald, Accountant
Kala Smith, Human Resources Director
Leigh Johnson, IT Director
Dudley Raymond, Parks and Recreation Director
Hulon Webb, Engineering Services Director
Pete Anaya, Assistant Director of Engineering Services – Capital Projects
John Webb, Development Services Director
Alex Glushko, Planning Manager
Doug Kowalski, Police Chief
Kent Bauer, Emergency Management Coordinator

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

Pastor Andy Nelms of Prosper United Methodist Church led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

Announcements of recent and upcoming events.

The Town Council would like to thank all of the staff, volunteers, sponsors, and vendors who helped make the Prosper Christmas Parade and Festival on Saturday such a tremendous success. An estimated 5,500-6,000 residents and visitors were in attendance to help celebrate the holiday season and show Prosper's hometown spirit, making this year's festival the largest ever.

The Prosper High School Football Team finished strong with another amazing season. The team competed in the Class 6A Division Region 2 Championship game at Ford Center on Saturday night. Congratulations to all of the players and coaches on another fantastic season.

Town offices will be closed on December 24 and 25, and on January 1. The Town Council would like to wish everyone a very Merry Christmas and a Happy New Year.

Presentations.

- 1. Presentation of the GFOA Achievement of Excellence in Financial Reporting award to members of the Finance Department for the Town's Comprehensive Annual Financial Report for the Fiscal Year ending September 30, 2018. (BP)**

Mayor Smith presented the award to Betty Pamplin and Liz McDonald from the Finance Department.

Discussion Items.

- 2. Grant Committee Update. (KB)**

Kent Bauer, Emergency Management Coordinator, reviewed the Town's grant submittal process, and the purpose and structure of the Grant Committee. He provided an overview of the recent applications submitted by the Town, and the grants awarded in FY 2018-2019. So far in FY 2019-2020, the Town has submitted nine grant projects, five of which have been awarded. Of the \$2.78 million in total project costs submitted for grants, the Town has received over \$1 million in grant awards.

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 November 26, 2019, Town Council Meeting. (RB)**
- 4. Receive the October Financial Report. (BP)**
- 5. Consider and act upon awarding RFP No. 2020-19-B for Stop Loss Coverage to QBE effective January 1, 2020, and authorizing the Town Manager to execute all documents for the same. (KS)**
- 6. Consider and act upon approving the purchase of Adaptive Consumer Engagement (ACE) software license, maintenance, and support from Aclara, a sole source provider; and authorizing the Town Manager to execute the same. (CS)**
- 7. Consider and act upon approving the purchase of computer hardware, from Centre Technologies, Inc., through the Texas Department of Information Resources (DIR) Purchasing Contract. (LJ)**
- 8. Consider and Act upon approving an Interlocal Agreement (ILA) with Collin County for the Funding Assistance Program to partially fund the construction of the Whitley Place Powerline Trail project and authorize the Town Manager to execute documents for the same. (PN)**

9. Consider and act upon approving the purchase of Traffic Signal related items for the Fishtrap & Teel Parkway Traffic Signal improvement project, from Consolidated Traffic Controls, Inc., through the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Program. (PA)
10. Consider and act upon Ordinance No. 19-85 amending Planned Development-68 (PD-68) in its entirety for 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 modified parking regulations and architectural design. (Z19-0017). (AG)
11. Consider and act upon authorizing the Town Manager to execute a Development Agreement between MQ Prosper Retail, LLC, and the Town of Prosper, Texas, related to an inside auto parts sales structure and a multitenant office/retail structure, located on the east side of Preston Road, north of Prosper Trail. (AG)
12. Consider and act upon a Site Plan, Landscape Plan, and Façade Plan for a multi-tenant office/retail building (Ebby Halliday), on 1.4± acres, located on the east side of Preston Road, north of Prosper Trail. The property is zoned Planned Development-68 (PD-68). (D19-0110). (AG)
13. 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)

Councilmember Hodges made a motion and Councilmember Andres seconded the motion to approve all items on the Consent Agenda. The motion was approved by a vote of 5-0.

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.

There were no Citizen Comments.

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:

14. Consider and act upon an ordinance amending Ordinance No. 18-71 (FY 2018-2019 Budget). (BP)

Accounting Manager Betty Pamplin presented this item before the Town Council. The proposed ordinance will amend final department balances for the FY 2018-2019 budget. Ms. Pamplin explained the proposed amendments to the various Town Funds, noting a correction to the Debt Service Fund from the amount presented in the staff report.

After discussion, Mayor Pro-Tem Vogelsang made a motion and Councilmember Hodges seconded the motion to approve Ordinance No. 19-86 to fund increased revenues, transfers in, transfer out, and expenditures in the Debt Service Fund and in the Special Revenue Funds including the Crime Control and Prevention District Fund; Fire Control, Prevention, and Emergency Medical Services District Fund; Court Technology Fund; Escrow Fund; Wastewater Impact Fee Fund; and West Thoroughfare Impact Fee Fund, based on the corrections noted in the staff presentation. The motion was approved by a vote of 5-0.

15. Consider and act upon an ordinance amending Ordinance No. 19-65 (FY 2019-2020 Budget). (BP)

Accounting Manager Betty Pamplin presented this item before the Town Council. The proposed budget amendment includes an upgrade to the Town's lightning detection system, which the Town's sports leagues have agreed to help fund. The proposed ordinance also includes funding to roll forward various purchase orders from FY 2018-2019 to shift budget authority from last fiscal year to the current fiscal year for projects that are still in progress.

After discussion, Mayor Pro-Tem Vogelsang made a motion and Councilmember Ray seconded the motion to approve Ordinance No. 19-87 amending Ordinance No. 19-65 (FY 2019-2020 Budget) to provide funding increased revenues and expenditures in the General Fund; and to increase expenditures in the Water-Sewer Utility Fund, VERF Fund, Health Trust Fund, and the Special Revenue Fund. The motion was approved by a vote of 5-0.

16. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Teague Nall and Perkins, Inc., and the Town of Prosper, Texas, related to the design of Fishtrap Road from Stuber Elementary School to the Dallas North Tollway Project. (PA)

Pete Anaya, Assistant Director of Engineering Services – Capital Projects, presented this item before the Town Council. This project is for the design of Fishtrap Road from Stuber Elementary School to the Dallas North Tollway to a full four-lane divided roadway with two bridge structures. Fishtrap Road is currently a two-lane asphalt roadway with ditch drainage and cross culvert drainage structures at drainage crossings. The new roadway will generally follow the same path as the new waterline that has been installed in the vicinity. Teague Nall and Perkins, Inc., is included on the list of qualified engineering firms previously approved by Council.

The Council discussed the Town's methods for selecting vendors and the benefits of using the Request for Proposals (RFP) process, rather than Town staff selecting a qualified vendor. Town Manager Harlan Jefferson explained that the use of the list of qualified engineering firms allows staff to select a vendor based on experience from a list of previously-vetted firms in an effort to expedite the design process.

Councilmember Ray made a motion to authorize the Town Manager to put out an RFP for professional services between the qualified vendors and the Town of Prosper

related to the Fishtrap road from Stuber Elementary School to the Dallas North Tollway Project.

Town Attorney Terry Welch advised that if the Council wishes to pursue the RFP process on this item, then the Council should take no action and begin the RFP process for the project.

The Council discussed the timing needed for the RFP process, and Mr. Welch clarified that the RFP process may not be used for this type of agreement, since it is illegal for the Town to accept bids for Professional Services. The typical practice is for the Town to select a firm, then negotiate a price for the project.

Councilmember Ray withdrew the motion.

After discussion, Councilmember Ray made a motion and Councilmember Hodges seconded the motion to authorize the Town Manager to execute a Professional Services Agreement between Teague Nall and Perkins, Inc., and the Town of Prosper, Texas, related to the design of Fishtrap Road from Stuber Elementary School to the Dallas North Tollway Project. The motion was approved by a vote of 5-0.

17. **Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Teague Nall and Perkins, Inc., and the Town of Prosper, Texas, related to the design of First Street from Coit Road to Custer Road Project. (PA)**

Pete Anaya, Assistant Director of Engineering Services – Capital Projects, presented this item before the Town Council. This project is for the design of First Street from Coit Road to Custer Road to a full four-lane divided roadway with one bridge structure. First Street is currently a two-lane asphalt roadway with ditch drainage and cross culvert drainage structures at drainage crossings. The design of the south lanes in front of the proposed High School are excluded from this contract and will be designed by Prosper Independent School District as part of the High School improvements. Teague Nall and Perkins, Inc., is included on the list of qualified engineering firms previously approved by Council.

After discussion, Councilmember Hodges made a motion and Councilmember Andres seconded the motion to authorize the Town Manager to execute a Professional Services Agreement between Teague Nall and Perkins, Inc., and the Town of Prosper, Texas, related to the design of First Street from Coit Road to Custer Road Project. The motion was approved by a vote of 5-0.

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.

The Town Council recessed into Executive Session at 6:39 p.m.

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

The Town Council reconvened the Regular Session at 7:17 p.m. No action was taken as a result of the Closed Session.

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

19. Downtown Live! Update. (DR)

Parks and Recreation Director Dudley Raymond briefed the Town Council on plans for the Downtown Live! event in 2020. The Council has allocated \$50,000 for the event in FY 2019-2020; however, Town staff has determined that the cost of the event will be approximately \$105,000-\$110,000 if no alcohol is sold, or \$125,000 if alcohol will be sold. Key decision points that must still be determined are whether alcohol will be sold at the event, the location of the event, and the selection of the band.

Iris Meneley, a downtown merchant and board member for the Prosper Chamber of Commerce, addressed the Council, noting that her business lost revenue due to the 2019 Downtown Live! event. She offered to make a recommendation on musical acts, and offered the assistance of the Chamber of Commerce to collaborate on planning the event and obtaining sponsorships. Ms. Meneley referenced a previous festival in downtown held years ago, and advocated for a music and arts festival in Prosper.

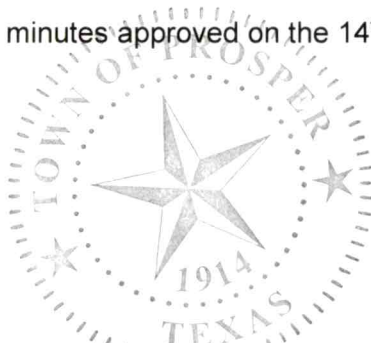
The Council expressed a preference to move forward with planning the event for 2020 on the Town Hall grounds, to book an opening act and feature act, and to include alcohol sales when planning the event. Town staff was directed to explore opportunities for sponsorships, and schedule a meeting with downtown merchants to obtain their input. Town staff will provide another update and a list of recommended bands at the January 14, 2020, Town Council meeting.

Mayor Smith suggested the Council begin discussions on a potential bond election. The topic will be discussed further at the January 14, 2020, Town Council meeting.

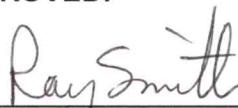
Adjourn.

The meeting was adjourned at 8:05 p.m. on Tuesday, December 10, 2019.

These minutes approved on the 14th day of January 2020.




APPROVED:



Ray Smith, Mayor

ATTEST:



Robyn Battle, Town Secretary