



Prosper is a place where everyone matters.

Minutes

Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, July 28, 2020

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.
Deputy Mayor Pro-Tem Jason Dixon
Councilmember Marcus E. Ray
Councilmember Craig Andres
Councilmember Jeff Hodges
Councilmember Meigs Miller

Staff Members Present:

Harlan Jefferson, Town Manager
Terry Welch, Town Attorney
Melissa Lee, Town Secretary
Robyn Battle, Executive Director of Community Services
Chuck Springer, Executive Director of Administrative Services
Betty Pamplin, Finance Director
January Cook, Purchasing Manager
Rebecca Zook, Executive Director of Development & Infrastructure Services
John Webb, Development Services Director
Hulon Webb, Engineering Services Director
Dan Heischman, Assistant Director of Engineering Services - Development
Alex Glushko, Planning Manager
Frank Jaromin, Director of Public Works
Leigh Johnson, Director of Information Technology
Dudley Raymond, Director of Parks and Recreation

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

Police Chaplain Isaac Varela led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

Announcements of recent and upcoming events.

July is Parks and Recreation Month, and the Prosper Parks and Recreation Department encourages residents to enjoy the variety of parks, trails, and recreation programs that the Town has to offer. Visit the Parks and Recreation Facebook page, or www.prosperparksandrec.org for more information.

July is also Smart Irrigation Month, and the Town of Prosper's Water Education Program offers several ways to save money and conserve water during the hot summer months. A Do-It-Yourself

Drip Irrigation Virtual Class will be presented on Tuesday, August 4 at 6:00 p.m. via Microsoft Teams. Registration is available on the Water Conservation page on the Town Website.

Residents are encouraged to visit the Prosper Book Trail at Eagles Landing Park located behind Rucker Elementary School. Take a walk through the park, and enjoy the news books that are posted every few weeks.

Presentations.

Harlan Jefferson, Town Manager, presented Council an update on the We Prosper Together Campaign. The charitable giving campaign coordinates community support for Prosper nonprofits that provide food, shelter and basic necessities through collaboration between the Town, Chamber, Rotary Club and Atmos Energy. To date the campaign has raised over \$125,000 for Prosper nonprofits.

- 1. Presentation of a Proclamation to Dr. Drew Watkins in honor of his service to the Prosper Independent School District. (RB)**

Council presented Dr. Drew Watkins a proclamation honoring his 18 years with the Prosper Independent School District.

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.

- 2. Consider and act upon the minutes from the July 14, 2020, Town Council Meeting. (ML)**
- 3. Consider and act upon approving the purchase of computer hardware, from Centre Technologies, Inc., through the Texas Department of Information Resources (DIR) Purchasing Contract; and authorizing the Town Manager to execute the same. (LJ)**
- 4. Consider and act upon Ordinance 2020-56 amending Section 12.09.004 "School Traffic Zones" of Chapter 12 "Traffic and Vehicles" of the Town's Code of Ordinances by modifying the limits and hours of operation of such zones. (DH)**
- 5. Consider and act upon authorizing the Town Manager to execute a Development Agreement between Monte Kauffman and the Town of Prosper, Texas, related to the redevelopment of 208 E. First Street. (MD20-0011) (AG)**
- 6. 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 Miller made a motion and Deputy Mayor Pro-Tem Dixon seconded the motion to approve all items on the Consent Agenda.

The motion was approved by a vote of 7-0.

CITIZEN COMMENTS

There were no citizen comments.

REGULAR AGENDA:

Items for Individual Consideration:

- 7. Conduct a Public Hearing, and consider and act upon a request for a Sign Waiver for Cook Children's Medical Center, located on the northeast corner of US 380 and Windsong Parkway, regarding Construction Fence Signage. (MD20-0012). (AG)**

Alex Glushko, Planning Manager, provided information on the waiver. The applicant is proposing continuous signage, approximately five and a half feet (5.5') in height to be located along the entry drive into the proposed hospital site for a length of approximately 475'. The applicant is also proposing standard green construction fencing along US 380 and at the north side of the hospital, in accordance with the Sign Ordinance.

Council had questions on how often the signs would be replaced due to weather and deterioration. The applicant, Kevin Greene with Cook Children's Medical Center, responded the signs would be replaced as necessary due to deterioration.

Mayor Smith Opened the Public Hearing.

With no one speaking, Mayor Smith closed the Public Hearing.

After discussion, Councilmember Miller made a motion and Mayor Pro-Tem Vogelsang seconded the motion to approve the Sign Waiver for Cook Children's Medical Center, located on the northeast corner of US 380 and Windsong Parkway, regarding Construction Fence Signage (MD20-0012).

The motion was approved by a vote of 7-0.

- 8. Conduct a Public Hearing, and consider and act upon a request to rezone 27.4± acres from Planned Development-65 (PD-65) to Planned Development-Single Family (PD-SF), located on the south side of Prairie Drive, east of Legacy Drive. (Z20-0014). (AG)**

Alex Glushko, Planning Manager, provided information on the prospective builder who has indicated that a substantial number of the houses will be single-story in height. The development standards proposed are necessary to facilitate the construction of larger single-story houses. The developer and prospective builder are proposing reduced setbacks to accommodate their single-story home floorplans. As such, the developer is proposing a minimum percentage of the lots be developed with single-story homes.

Council discussed setback reduction and the integrity of building standards. Deputy Mayor Pro-Tem Dixon questioned the maximum dwelling size for Type A lots of 2,200 square feet and requested it be set at 2,350 square feet. Clint Richardson representing the developer discussed the single-story minimum percentage of 50%

and reduced development density overall. Staff will present the ordinance and development agreement to Council at a later meeting date.

Mayor Smith Opened the Public Hearing.

With no one speaking, Mayor Smith closed the Public Hearing.

After discussion, Deputy Mayor Pro-Tem Dixon made a motion and Councilmember Ray seconded the motion to approve the request to rezone 27.4± acres from Planned Development-65 (PD-65) to Planned Development-Single Family (PD-SF), located on the south side of Prairie Drive, east of Legacy Drive (Z20-0014) subject to:

- (1) Approval of a Development Agreement, which will include right-of-way and easement dedication and masonry and architectural standards consistent with the attached elevations;
- (2) The Planned Development Standards, Exhibit C, shall be revised: maximum dwelling size for Type A lots shall be 2,350 square feet and maximum dwelling size for Type B lots shall be 2,600 square feet; and
- (3) Plate height shall be included in the final version of the development standards of the Planned Development ordinance to be considered for final approval by the Town Council.

The motion was approved by a vote of 7-0.

9. **Consider and act upon Ordinance 2020-57 amending Ordinance No. 19-65 (FY 2019-2020 Budget) and Capital Improvement Plan. (BP/HW)**
10. **Consider and act upon authorizing the Town Manager to execute Contract Amendment #1 to the Professional Services Agreement between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the design of the Custer Road Pipeline and Meter Vault Relocation project. (HW)**
11. **Consider and act upon awarding Bid No. 2020-62-B to Wilson Constructors, Inc., related to construction services for the Custer Road Pump Station Meter Vault Relocation project; and authorizing the Town Manager to execute a construction agreement for same. (HW)**
12. **Consider and act upon authorizing the Town Manager to execute a Standard Utility Agreement (SUA) U-Number U16097 between the Texas Department of Transportation and the Town of Prosper, Texas, for the reimbursement of costs incurred in adjustment, removal and relocation of the Town's water facilities along Custer Road (FM2478), up to the amount of eligibility for State participation. (HW)**

Mayor Smith opened Items 9,10, 11 and 12 concurrently.

Hulon Webb, Engineering Services Director, provided an overview Items 9,10, 11 and 12. The location, cost estimate and construction schedule for the Custer Road Pump Station Meter Vault Relocation project was provided. Director Webb clarified an error on the staff report for Item 11, and an update to the staff report for Item 12.

After discussion, Deputy Mayor Pro-Tem Dixon made a motion and Councilmember Ray seconded the motion to approve Ordinance 2020-57 amending Ordinance No. 19-65 (FY 2019-2020 Budget) and Capital Improvement Plan.

The motion was approved by a vote of 7-0.

Deputy Mayor Pro-Tem Dixon made a motion and Councilmember Andres seconded the motion authorizing the Town Manager to execute Contract Amendment #1 to the Professional Services Agreement between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the design of the Custer Road Pipeline and Meter Vault Relocation project.

The motion was approved by a vote of 7-0.

Deputy Mayor Pro-Tem Dixon made a motion and Councilmember Hodges seconded the motion awarding Bid No. 2020-62-B to Wilson Contractor Services, LLC, related to construction services for the Custer Road Pump Station Meter Vault Relocation project; and authorizing the Town Manager to execute a construction agreement for same.

The motion was approved by a vote of 7-0.

Deputy Mayor Pro-Tem Dixon made a motion and Councilmember Hodges seconded the motion authorizing the Town Manager to execute a Standard Utility Agreement (SUA) U-Number U16097 between the Texas Department of Transportation and the Town of Prosper, Texas, for the reimbursement of costs incurred in adjustment, removal and relocation of the Town's water facilities along Custer Road (FM2478), up to the amount of eligibility for State participation.

The motion was approved by a vote of 7-0.

13. Discussion and Presentation on the Continuous Process Improvement (CPI) Program. (CS)

Chuck Springer, Executive Director of Administrative Services, briefed Council on the Continuous Process Improvement (CPI) Program. Town staff began an implementation of a lean/six sigma-based program in early 2019. Implementation of the program, accomplishments and on-going efforts were presented.

Councilmember Ray discussed the Lean Six Sigma program and recommended it due to its industry recognized certification program.

14. Budget Work Session Follow-Up Discussion. (BP)

Betty Pamplin, Finance Director, provided a VEF fund analysis, a five-year review of CIP funding sources and a multi-year professional services summary as a follow up to discussions from the budget work session held on June 18, 2020.

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 551.071 - Consultation with the Town Attorney regarding legal issues associated with alcoholic beverage local option elections and all matters incident and related thereto.

Section 551.071 - Consultation with the Town Attorney regarding legal issues associated with short term rentals of property, 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.

The Town Council recessed into Executive Session at 7:37 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 9:00 p.m.

Councilmember Miller made a motion and Councilmember Hodges seconded the motion to authorize the Town Manager to execute the following:

Rescind the Town Council authorization for the execution of an Economic Development Incentive agreement with Merit Roofing Systems, Inc.

The motion was approved by a vote of 7-0.

Councilmember Miller made a motion and Mayor Pro-Tem Vogelsang seconded the motion to appoint Amy Bartley to fill the unexpired term of Joe Grinstead, Planning & Zoning Commission Place 4.

The motion was approved by a vote of 7-0.

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

Councilmember Ray requested a future agenda item regarding a change request for the Public Safety Building replacing the interior office solid doors for doors with windows.

Adjourn.

The meeting was adjourned at 9:02 p.m. on Tuesday, July 28, 2020.

These minutes approved on the 11th day of August 2020.

APPROVED:



Ray Smith, Mayor

ATTEST:



Melissa Lee, Town Secretary

