



Prosper is a place where everyone matters.

Minutes
Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, March 24, 2020

Call to Order/ Roll Call.

The meeting was called to order at 5:49 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 Meigs Miller
Councilmember Jeff Hodges

Staff Members Present:

Harlan Jefferson, Town Manager
Terry Welch, Town Attorney
Robyn Battle, Executive Director of Community Services
Chuck Springer, Executive Director of Administrative Services
Leigh Johnson, Director of Information Technology
Betty Pamplin, Finance Director
Hulon Webb, Engineering Services Director
January Cook, Purchasing Manager
Pete Anaya, Assistant Director of Engineering Services – Capital Projects
John Webb, Development Services Director
Alex Glushko, Planning Manager
Frank Jaromin, Public Works Director
Doug Kowalski, Police Chief
Stuart Blasingame, Fire Chief
Dudley Raymond, Director of Parks and Recreation
Dan Heischman, Assistant Director of Engineering Services

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

Mayor Ray Smith led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

Citizen Comments:

There were no Citizen Comments.

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 February 25, 2020, Town Council meeting. (RB)**
2. **Consider and act upon Ordinance No. 2020-18 declaring a local state of disaster due to a public health emergency. (RB)**
3. **Consider and act upon Ordinance No. 2020-19 ordering that the General Election scheduled to be held on Saturday, May 2, 2020, be postponed to Tuesday, November 3, 2020. (RB)**
4. **Consider and act upon Ordinance No. 2020-20 granting a temporary refund of fees related to building permits and the waiver of fees related to annual restaurant health permits and alcohol permits. (MD20-0004) (JW)**
5. **Receive the January Financial Report. (BP)**
6. **Consider and act upon Resolution No. 2020-21 accepting the Independent Audit Report and Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended September 30, 2019, as presented by a representative of Pattillo, Brown and Hill LLP., Certified Public Accountants. (BP)**
7. **Consider and act upon Resolution No. 2020-22 authorizing various individuals as signers of specific accounts and certain investment matters. (BP)**
8. **Consider and act upon Resolution No. 2020-23 authorizing the Town to participate in Texas Coalition for Affordable Power, Inc.'s Strategic Hedging Program. (BP)**
9. **Consider and act upon awarding RFP No. 2020-12-B to Sciens LLC, related to Phase I Discovery and Pre-Acquisition, Evaluation and Selection of a Permitting Software System for the Town of Prosper; and authorizing the Town Manager to execute documents for same. (BP)**
10. **Consider and act upon approving the purchase of water meter transmission units from Aclara Technologies, LLC, a sole source provider; and authorizing the Town Manager to execute documents for the same. (FJ)**
11. **Consider and act upon approving the purchase of manhole rehabilitation services from Fuquay, Inc., through the Texas Local Government Purchasing Cooperative; and authorizing the Town Manager to execute documents for the same. (FJ)**
12. **Consider and act upon awarding CSP No. 2020-39-B to TDC2, LLC, related to underground fiber optic cable installation between Town Hall, Public Works, and the Public Safety Facility; and authorizing the Town Manager to execute documents for same. (LJ)**
13. **Consider and act upon approving Change Order Number 07 for Bid No. 2019-52-B to McKee Utility Contractors, Inc., related to construction services for the Lower Pressure Plane Line Phase 1B project; and authorizing the Town Manager to execute Change Order Number 07 for same. (PA)**

14. Consider and act upon Ordinance No. 2020-24 establishing a no parking zone on Wilson Drive from Coleman Street to Gray Lane. (DK)
15. Conduct a Public Hearing, and consider and act upon an ordinance amending Chapter 3, Section 2, Definitions, of the Zoning Ordinance, regarding Automobile Storage. (Z20-0003). (AG) [Item Withdrawn by Town]
16. Consider and act upon a request to allow for an alternative parking surface for Prosper United Methodist Church, located on the east side of Parvin Street, north of First Street. (MD20-0005). (AG)
17. Consider and act upon Amendment One to the License Agreement between the Town of Prosper and Prosper Historical Society relative to the location, construction and operation of the Veterans Memorial in Frontier Park. (DR)

Councilmember Ray 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 7-0.

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:

Sections 551.071, 551.074 and 551.076 – Consultation with the Town Attorney regarding legal issues associated to disaster declarations/executive orders by federal, state and applicable local governments related to COVID-19 and attendant public health matters, and to discuss and consider personnel matters and the deployment of security personnel related thereto, and all matters incident and related thereto.

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 the Town's sign ordinance, 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.

Section 551.074 – To discuss and consider retention of outside legal counsel to assist NTMWD Customer Cities in PUC Docket No. 46662 and execution by Town Manager of pertinent legal representation documentation related thereto.

The Town Council recessed into Executive Session at 5:57 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 Andres seconded the motion to authorize the Town Manager to execute the following:

Retention of the law firm of Jackson Walker to represent the Town of Prosper, along with other Texas entities, in the intervention in PUC Docket No. 46662 and SOAH Docket No. 473-17-4964.WS, which relates to the cost of service determination on the wholesale water rates imposed by the North Texas Municipal Water District.

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

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

The Economic Development Incentive Agreement with the Town of Prosper, 1385 & 380 Investments LP and Prosper 1385 Investments LP.

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

Adjourn.

The meeting was adjourned at 9:02 p.m. on Tuesday, March 24, 2020.


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

APPROVED:



Ray Smith, Mayor

ATTEST:



Melissa Lee, Town Secretary

