



Prosper is a place where everyone matters.

Minutes

Prosper Town Council Meeting

Council Chambers

Prosper Town Hall

250 W. First Street, Prosper, Texas

Tuesday, February 11, 2020

5:45 PM

Call to Order/ Roll Call.

The meeting was called to order at 5:46 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, Town Secretary/Public Information Officer

Chuck Springer, Executive Director of Administrative Services

Betty Pamplin, Finance Director

Hulon Webb, Engineering Services Director

Pete Anaya, Assistant Director of Engineering Services – Capital Projects

Dan Heischman, Assistant Director of Engineering Services - Development

John Webb, Development Services Director

Alex Glushko, Planning Manager

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

Councilmember Miller 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 invites residents to participate The Mayor's Fitness Challenge now through April 15. Join fellow Prosper residents in the challenge to walk or run 100 miles, or bike 500 miles in just over 100 days. To register, please visit the Parks and Recreation page on the Town website.

The Make 380 Safe Task Force has scheduled a town hall meeting on Wednesday, February 12, at 6:00 p.m. at Braswell High School. Representatives from Denton County, State Representative Jared Patterson, and TxDOT will provide updates on what is coming for the 380 corridor as well as present the task force's achievements.

The Annual Prosper Fishing Derby will take place on Saturday, February 22, from 9:00-11:00 a.m. at Frontier Park. The pond will be stocked, and no fishing license is necessary. Prizes will be awarded in various categories to kids under the age of 14. More information is available on the Town website.

The Town's Water Conservation Division will host a DIY Drip Irrigation course on March 19 from 6:00-8:00 p.m. in the Town Hall Community Room. Residents can learn how to install, convert and maintain a drip irrigation system. Registration for this free event is available on the Town website.

The Town Council wished everyone a very Happy Valentine's Day.

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 January 28, 2020, Town Council meeting. (RB)**
2. **Consider and act upon the minutes from the January 31, 2020, Town Council Strategic Planning Session. (RB)**
3. **Consider and act upon Ordinance No. 2020-07 ordering a General Election to be held on May 2, 2020, and authorizing the Town Manager to execute contracts with the Collin County Election Administration, the Denton County Election Administration, and the Prosper Independent School District for joint election services. (RB)**
4. **Receive the December Financial Report. (BP)**
5. **Receive the Quarterly Investment Report. (BP)**
6. **Consider and act upon approving the renewal of insurance policies with Mutual of Omaha for Group and Voluntary Life, Accidental Death and Dismemberment, Short-term Disability, and Long-term Disability coverages for employees and their eligible dependents. (CS)**
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)**

Councilmember Hodges made a motion and Councilmember Ray seconded the motion to approve all items on the Consent Agenda. The motion was approved by a vote of 7-0.

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:

8. Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan from Low Density Single Family to Tollway District, generally located on the north side of Prosper Trail, west of Shawnee Trail. (CA19-0005). [Companion Case Z19-0024] (AG)
9. Conduct a Public Hearing, and consider and act upon a request to rezone 3.4± acres from Agricultural (A) to Office (O) and 5.6± acres from Agricultural (A) to Single Family-15 (SF-15), located on the north side of Prosper Trail, west of Shawnee Trail. (Z19-0024). [Companion Case CA19-0005] (AG)

Mayor Smith opened Items 8 and 9 concurrently.

Planning Manager Alex Glushko presented both items before the Town Council concurrently. Town staff received a request to rezone 5.6± acres of the subject property from Agricultural (A) to Single Family-15 (SF-15) and to rezone 3.4± acres from Agricultural (A) to Office (O). While the request to rezone to residential is in conformance with the Future Land Use Plan, the request to rezone to office is not in conformance with the Future Land Use Plan. The proposed amendment extends a narrow area of the Tollway District west of Shawnee Trail.

The purpose of the zoning request is to rezone the northern portion of the property to Single Family-15 (SF-15), where an existing house is currently located, and to zone the southern portion of the property to Office (O) District, to allow for an office development in the future. The applicant has been advised of the standards necessary for development. Matt Moore of Claymoore Engineering spoke on behalf of the applicant, and confirmed that mutual access to the existing home on the northern section of the property will remain. The current owner plans to sell the existing residential portion of the property, while the acreage fronting Prosper Trail will be developed for office uses.

Mayor Smith opened the Public Hearings for Items 8 and 9 concurrently.

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

Mr. Glushko confirmed that while the property is within the Tollway District on the Comprehensive Plan, the Office (O) zoning district governs development of the property, including building height. Mr. Moore confirmed that while it is possible to provide enough parking for a two-story building on the property, he is only planning to develop a one-story building at this time.

After discussion, Councilmember Ray made a motion and Councilmember Hodges seconded the motion to approve the request to amend the Future Land Use Plan from Low Density Single Family to Tollway District, generally located on the north side of Prosper Trail, west of Shawnee Trail. The motion was approved by a vote of 7-0.

Councilmember Miller made a motion and Councilmember Andres seconded the motion to approve the request to rezone 3.4± acres from Agricultural (A) to Office (O) and 5.6± acres from Agricultural (A) to Single Family-15 (SF-15), located on the north side of Prosper Trail, west of Shawnee Trail, subject to approval of a Development Agreement regarding architecture and building materials. The motion was approved by a vote of 7-0.

10. Consider and act upon a request to waive the Town's Drainage System Design Requirements for a wet or underground detention pond for the regional pond on the original Worldwide Rock tract for the All Storage development. (DH)

Dan Heischman, Assistant Director of Engineering Services – Development, presented this item before the Town Council. On August 14, 2018, the Town Council approved a waiver from the wet detention pond requirement for the Worldwide Rock development. The proposed pond would be behind a screening wall and include evergreen screening to block the pond from being visible from public right-of-way.

The Worldwide Rock development is not proceeding at this time; however, an agreement to provide regional detention still exists between the Worldwide Rock development and the All Storage development to the south. The applicant for All Storage is requesting to amend the waiver request to provide evergreen screening in lieu of the original screening wall plan proposed with the Worldwide Rock development. Matt Moore with Claymoore Engineering, representing the applicant, spoke in favor of the request, stating that he believes the request is appropriate for the property, since it is zoned for industrial/commercial uses.

After discussion, Councilmember Andres made a motion and Councilmember Hodges seconded the motion to approve the request to allow a dry detention pond to serve the Worldwide Rock tract for the All Storage development, with six-foot shrubbing at the time of planting, along the north and west sides of the easement, as depicted in the exhibit. 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:

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.

The Town Council recessed into Executive Session at 6:37 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 10:03 p.m.

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

1. Second Amendment to Economic Development Incentive Agreement with Northeast 423/380 Limited and Northwest 423/380 LP.
2. Second Amendment to Economic Development Incentive Agreement with the Prosper Economic Development Corporation, Home Depot USA, Inc., and Northeast 423/380 Limited.

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

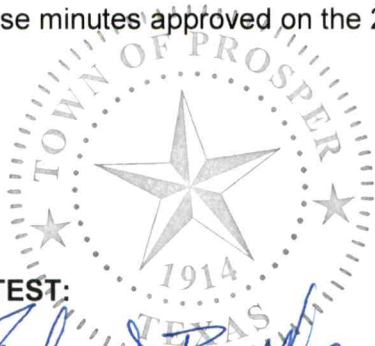
Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.

The Council directed staff to provide an update on the local response to the Coronavirus at the next Council meeting.

Adjourn.

The meeting was adjourned at 10:06 p.m. on Tuesday, February 11, 2020.

These minutes approved on the 25th day of February 2020.



ATTEST:

Robyn Battle, Town Secretary

APPROVED:

Ray Smith, Mayor