



AGENDA

Regular Meeting of the Prosper Town Council
Town of Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, March 24, 2009 at 6:00 p.m.

1. Call to Order / Roll Call.
2. Invocation and Pledge of Allegiance.
3. Announcements of dates and times of upcoming community events.

PRESENTATIONS

4. Recognition of John Hill of Darling Homes as the recipient of the Building Inspection's 2008 Builder of the Year Award and of Anthony McKenzie of Legacy Homes as First Runner-Up and Clark Edwards of Drees Homes as Second Runner-Up of the Award. **(WS)**

EXECUTIVE SESSION

5. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit: Section 551.071. Meeting with Town Attorney regarding a matter (s) in which the duty of the Town Attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act regarding legal issues relating to request to amortize nonconforming use located at 2721 N. Custer Road.
6. Reconvene into Open Session and take any action necessary as a result of the Closed Session.
7. Consider and possibly act upon determining whether there is a public necessity for expedited compliance with the zoning regulations for the use located at 2721 N. Custer Road.
8. Consider and possibly act upon requesting the Planning & Zoning Commission to initiate a public hearing in accordance with the Zoning Ordinance to determine the proper zoning of the property located at 2721 N. Custer Road.

CONSENT AGENDA

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A majority vote of the Council is required to remove any item for discussion and separate action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

9. Consent Agenda

MINUTES

- a. Consider and act upon minutes from the following Council meetings. **(MD)**
 - March 9, 2009 – Town Council Work Session
 - March 10, 2009 – Town Council Meeting

ORDINANCES, RESOLUTIONS, AND AGREEMENTS

- b. Consider and act upon a Certification of Unopposed Candidates. **(MD)**
- c. Consider and act upon an ordinance cancelling the May 9, 2009 General Election. **(MD)**

- d. Consider and act upon a resolution support the designation of State Highway 289 as the “Preston Trail Highway.” (ML)

FINANCIALS

- e. Consider and act upon the financial statements ending February 28, 2009. (MG)

CITIZEN’S 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 Comments Form” and present it to the Town Secretary prior to the meeting.)

10. Other Comments by the Public.

REGULAR AGENDA

(If you wish to address the Council during the regular agenda portion of the meeting, please fill out a “Speaker Request Form” and present it to the Town Secretary prior to the meeting. Citizens wishing to address the Council for items listed as public hearings will be recognized by the Mayor. Those wishing to speak on a non-public hearing related items will be recognized on a case-by-case basis, at the discretion of the Mayor and Town Council.)

PUBLIC HEARINGS

11. A public hearing to consider and act upon an ordinance establishing a municipal drainage utility system fee schedule. (HW)
12. A public hearing to consider and act on an ordinance increasing and modifying Water and Wastewater fees and rate structures. (MG)

DEPARTMENT ITEMS

13. Consider and act upon a resolution designating Masonic Lodge, Lee Lodge #435, 101 S. Church Street as a historical monument and free from Town taxes on land and improvements. (MD)
14. Receive and discuss an Economic Development Corporation quarterly report. (DT)
15. Possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
16. Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the inside window at the Town Hall of the Town of Prosper, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: **Friday, March 20, 2009 at 5:00 p.m.** and remained so posted at least 72 hours before said meeting was convened.

Matthew D. Denton, TRMC
Town Secretary

Date Noticed Removed

In addition to any specifically identified Executive Sessions, Council may convene into Executive Session under Section 551 of the Texas Government Code at any point during the open meeting to discuss any item posted on this agenda. The Open Meetings Act provides specific exceptions that require that a meeting be open. Should Council elect to convene into Executive Session, those exceptions will be specifically identified and announced. Any subsequent action, as a result of this Executive Session, will be taken and recorded in open session.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Town Council Meetings are wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as Interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the Town Secretary’s Office at (972) 346-2640 or by FAX (972) 347-2111. **BRAILLE IS NOT AVAILABLE.**