



AGENDA

Regular Meeting of the Prosper Town Council
Town of Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, September 22, 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.

EXECUTIVE SESSION

4. Recess into closed session in compliance with Section 551.001 et. Seq. Texas Government Code, to wit Section 551.074: Discuss the appointment of individuals to the Parks and Recreation Board, Planning & Zoning Commission, and Economic Development Corporation.
5. Reconvene into regular session and take any action necessary as a result of the closed session.

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.)

6. Consent Agenda

MINUTES

- a. Consider and act upon minutes from the following Council meetings. **(MD)**
 - September 8, 2009 – Town Council Meeting

ORDINANCES, RESOLUTIONS, AND AGREEMENTS

- b. Consider and act upon an ordinance rezoning 10.0± acres, located on the north side of First Street, 500± feet west of Dallas Parkway (1464 W. First Street), from Agricultural (A) to Commercial Corridor (CC). (Z09-9). **(CC)**
- c. Consider and act upon Change Order #1 to Dowdey, Anderson & Associates, Inc., for the Prosper Trail Widening Project (DNT – Preston Road). **(HW)**
- d. Consider and act upon a resolution: 1) determining a public necessity to acquire, by purchase or condemnation, certain property for the provision of constructing Prosper Trail (DNT to Preston Road), 2) giving notice of an official determination to acquire said property for the purposes set forth within and 3) authorizing the Town Manager to establish procedures for acquiring the property by purchase or condemnation. **(HW)**
- e. Consider and act upon 1) approval of Professional Design Services Agreement with Studio 13 Design Group, PLLC., regarding Median, Streetscape, and Intersection Standards and 2) adopt a resolution authorizing the Town Manager to execute the same. **(WH)**

- f. Consider and act upon an ordinance amending paragraph (A) and subparagraph (6) of paragraph (B) of Subsection 7.3 (Nonconforming Uses) of Chapter 1, Section 7 of Ordinance No. 09-048; making non-substantive corrections to the ordinance to correct internal references within the ordinance. (Z09-2). **(CC)**
- g. Consider and act on a Resolution authorizing the Chief of Police to enter into Interlocal Agreements with surrounding jurisdictions for the purpose of radio interoperability. **(KM)**

FINANCIALS

- h. Consider and act upon the financial statements ending August 31, 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.)

- 7. 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

- 8. A public hearing to consider and act upon a request to rezone 33.0± acres, located on the northeast corner of Dallas Parkway and First Street, from Agricultural (A) to Retail (R). (Z09-6). **(CC)**
- 9. A public hearing to consider and act upon a request to rezone 5.9± acres, located on the west side of Coleman Street, 500± feet north of Prosper Trail, from Agricultural (A) to Commercial (C). (Z09-11). **(CC)**
- 10. Presentation of Service Plan and First Public hearing to consider the voluntary annexation of approximately 33.026 acres of land generally located north of West First Street and east of the Dallas North Tollway. **(MD)**

DEPARTMENT ITEMS

- 11. Discuss and appoint individuals to the Parks and Recreation Board, Planning & Zoning Commission, Board of Adjustments/Construction Board of Appeals, Library Board, and Economic Development Corporation.
- 12. Discuss and update status of dispatch operations project. **(GM)**
- 13. Consider and act upon a resolution authorizing the Town Manager to enter into professional services agreements and make purchases for equipment and capital relating to the Town's IT infrastructure and communication systems with aggregate costs of the projects not to exceed \$200,000 through implementation. **(MG)**
- 14. Consider and approve a resolution consenting to the creation of the Forest City/Three Stones Municipal Management District (MMD) to be known as Prosper Management District No. I. **(ML)**
- 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, September 18, 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.

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| <p>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.</p> |
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