



AGENDA
Regular Meeting of the Prosper Town Council
Town of Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, December 8, 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.

PRESENTATION

4. Presentation of a Certificate of Appreciation to Commission Joe Jaynes.

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.)

5. Consent Agenda

MINUTES

- a. Consider and act upon minutes from the following Council meetings. **(MD)**
 - November 10, 2009 – Town Council Meeting
 - November 20, 2009 – Special Town Council Meeting
 - November 30, 2009 – Special Town Council Meeting

ORDINANCES, RESOLUTIONS, AND AGREEMENTS

- b. Consider and act upon an ordinance rezoning 120.8± acres, located on the southeast corner of Legacy Drive and Frontier Parkway, from Agricultural (A) to Planned Development–Single Family/Retail (PD-SF/R). (Z09-04). **(CC)**
- c. Consider and act upon an ordinance granting a Specific Use Permit (SUP) for a Concrete Batching Plant on 5.0± acres, located on the west side of Dallas Parkway, 900± feet south of First Street. The property is zoned Planned Development-19-Commercial Corridor (PD-19-CC). (S09-2). **(CC)**
- d. 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. **(CC)**
- e. Consider and act upon an ordinance for the voluntary annexation of approximately 126.50 acres of land generally located south of Frontier Pkwy and west of N. Wesley Drive. **(MD)**
- f. Consider and act upon amending ordinance No. 06-37 for Contractor Registration Requirements to correspond with State law changes. **(WS)**

FINANCIALS

- g.** Consider and act upon the financial statements ending October 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.)

- 6.** 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

- 7.** A public hearing to consider and act upon a request to rezone 0.6± acre, located on the northeast corner of Coleman Street and Fifth Street (103 East Fifth Street), from Single Family-15 (SF-15) to Planned Development-Downtown Office (PD-DTO). (Z09-12). **(CC)**
- 8.** A public hearing to consider and act upon a request to rezone 4.0± acres, located on the north side of the Prairie Vista terminus, 600± feet west of Coleman Street (601 N. Coleman Street), from Single Family-15 (SF-15) to Commercial (C). (Z09-15). **(CC)**
- 9.** A public hearing to consider and act upon a request to rezone 11.8± acres, located on the southeast corner of Frontier Parkway and Wesley Drive, from Agricultural (A) to Commercial (C). (Z09-14). **(CC)**

DEPARTMENT ITEMS

- 10.** Consider and act upon an amendment to Chapter 13 of the Subdivision Ordinance regarding park dedication requirements and park improvement fees. **(WH)**
- 11.** Consider and act upon the future of the Folsom Park athletic field lights. **(WH)**
- 12.** Discuss cooperative funding opportunity with the City of Celina for the design and construction of Frontier Parkway between Preston Rd. and the Dallas North Tollway. **(ML)**
- 13.** Consider a Resolution supporting the Town's 2009 Transportation Enhancement Program projects. **(WH)**

EXECUTIVE SESSION

- 14.** Recess into closed session in compliance with Section 551.001 et. Seq. Texas Government Code, to wit: Section 551.074 to deliberate the evaluation of the Town Manager.
- 15.** Reconvene into regular session and take any action necessary as a result of the closed session.
- 16.** Possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.

17. 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, December 4, 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.