



AGENDA
Regular Meeting of the Prosper Town Council
Town of Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, January 26, 2010 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. Introduction of Collin County Commissioner for Precinct 1, Matt Shaheen, as the new Commissioner for Prosper.
5. Presentation by the USPS regarding the USPS-Post Office expansion project at 102 E. Broadway Street.

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)**
 - January 12, 2010 – Town Council Meeting

ORDINANCES, RESOLUTIONS, AND AGREEMENTS

- b. Consider and act upon an ordinance rezoning 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)**

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 8.2± acres, located at Prairie Vista Drive, 200± feet east of Coleman Street, to amend Planned Development-37 (PD-37), Exhibit C, Section I (Minimum Dwelling Area). (Z09-16). **(CC)**

DEPARTMENT ITEMS

- 9. Receive a presentation regarding the status of the Dispatch project. **(GM)**
- 10. Consider and act on an Interlocal Agreement between the Town of Prosper and the Prosper Economic Development Corporation for the reconstruction of a portion of Broadway St. east of McKinley. **(ML)**
- 11. Discuss the Town Council meeting start time. **(ML)**
- 12. Capital Improvement Projects Update. **(MB)**
- 13. Consider and act upon 1) an award of bid to J&T Excavation, LLC, 2) enter into a contract agreement with J&T Excavation, LLC, regarding the construction services for the Main Street Park Paving Improvements and 2) adopt a resolution authorizing the Town Manager to execute the same. **(MB)**
- 14. Consider and act upon an ordinance repealing Ordinance Nos. 02-25, 03-26, 04-03, 05-49, 05-76, 06-20, 07-94, 08-52 and 09-69 (Sign Regulations) and establishing Sign Regulations. **(CC)**

EXECUTIVE SESSION

- 15. Recess into closed session in compliance with Section 551.001 et. Seq. Texas Government Code, to wit:
 - a. Section 551.074 to deliberate the evaluation of the Town Manager.
 - b. Section 551.071 consultation 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 conflicts with the Open Meetings Act regarding legal issues related to the USPS-Post Office expansion project.
- 16. Reconvene into regular session and take any action necessary as a result of the closed session.
- 17. Possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
- 18. 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, January 22, 2010 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.**