



AGENDA
Regular Meeting of the Prosper Town Council
Town of Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, May 25, 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.
4. Administer Oath and Issuance of Certificate of Election to Dave Benefield, Councilmember Place 1. **(MD)**

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)**
 - May 11, 2010 – Town Council Meeting
 - May 17, 2010 – Special Town Council Meeting

ORDINANCES, RESOLUTIONS, AND AGREEMENTS

- b. 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)**
- c. Consider and act upon an Interlocal Agreement between the Town of Prosper and the City of Frisco for a deputy court clerk to cover court services for the Court Administrator for out of town training and vacation needs. **(AL)**
- d. Consider and act upon a resolution appointing the Municipal Judge. **(AL)**
- e. Consider and act upon a request from Justin Kouba to permit a variance to the Town's Noise Ordinance No. 06-47, allowing for the use of loudspeakers and sound amplifiers from 6 p.m. to 9 p.m. on Wednesday, May 26, 2010 at 208 W. Broadway at Prestonwood Baptist North during the Summer Bash. **(GM)**

FINANCIALS

- f. Consider and act upon the financial statements ending April 30, 2010. **(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.)

DEPARTMENT ITEMS

- 7. Consider and act upon the appointment of a Mayor Pro-Tem and Deputy Mayor Pro-Tem. (MD)**
- 8. Consider and act upon a request to reestablish residential nonconforming rights at 209 South Church Street, pursuant to Chapter 1, Section 7 of the Zoning Ordinance. (WS)**
- 9. Consider and act upon approving the purchase of 23.140 acres of real property from the Prosper Independent School District (PISD) for the extension of the Community Park and authorizing the Town Manager to execute any and all documents necessary for the purchase thereof. (HW)**
- 10. Discuss and appoint members of the Council to the Finance, Utility, and Economic Development Committees. (ML)**

EXECUTIVE SESSION

- 11. Recess into closed session in compliance with Section 551.001 et. Seq. Texas Government Code to wit: Section 551.074 to deliberate regarding personnel matters.**
- 12. Reconvene into regular session and take any action necessary as a result of the closed session.**
- 13. Possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.**
- 14. 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, May 21, 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.