



AGENDA
Regular Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, January 24, 2012
Work Session at 5:30 p.m.
Council Meeting at 6:00 p.m.

1. Call to Order / Roll Call
2. Invocation, Pledge of Allegiance, and Pledge to the Texas Flag
3. Announcements of dates and times of upcoming community events
4. Presentation of a proclamation declaring February 7-14, 2012, as Congenital Heart Disease Awareness Week.
5. Presentation of a certificate of appreciation to Mitchell Cordy for work completed at Boyer Park. **(WH)**
6. Presentation regarding future Water Conservation efforts for Town of Prosper. **(ML)**
7. Presentation regarding possible future Water Rate Structures for Phase 3 and Phase 4 Drought Water restrictions. **(MG)**
8. **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.)

MINUTES, RESOLUTIONS AND OTHER ITEMS

- 8a. Consider and act upon minutes from the following Council meeting(s) **(AP)**
 - January 10, 2012 – Regular Town Council Meeting
- 8b. Consider and act upon an Encroachment on Easement Agreement within the limits of the Wilson Creek Sewer Interceptor Project, by and between Oncor Electric Delivery Company and the Town of Prosper. **(MB)**
- 8c. Consider and act upon Ordinance No. 12-03 rezoning 3.0± acres, located 750± feet east of Dallas Parkway and 650± feet south of First Street, from Agricultural (A) to Planned Development-Commercial (PD-C). (Z11-0012). **(CC)**
- 8d. Consider and act upon directing Town staff to initiate the process to amend Chapter 4, Section 4.2(F) of the Town’s Zoning Ordinance regarding the minimum size of enclosed parking spaces in residential zoning districts. (Z12-0002). **(CC)**

- 8e. Consider and act upon Resolution No. 12-03 authorizing participation with TexPool/TexPool Prime and designating authorized representatives. **(MG)**
- 8f. Consider and act upon the December 2011 monthly financial statements. **(MG)**

9. **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.)

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 item will be recognized on a case-by-case basis, at the discretion of the Mayor and Town Council.)

PUBLIC HEARINGS

- 10. A public hearing to consider and act upon a request to rezone 3.5± acres, located on the south side of Prosper Trail, 750± feet west of Preston Road, from Commercial (C) to Planned Development-Retail (PD-R). (Z11-0013). **(CC)**
- 11. A public hearing to consider and act upon Resolution No. 12-01 entering into an exclusive franchise agreement with IESI for Solid Waste and Recycling Services, authorizing the Town Manager to execute the same. **(MG)**

DEPARTMENT RELATED ITEMS

- 12. Consider and act upon Ordinance No. 12-02, amending Section 4B of the Comprehensive Parks Ordinance. **(WH)**
- 13. Consider appointing a member to the Parks and Recreation Board position. **(WH)**
- 14. Consider and act upon the expenditure of Park Improvement Funds for the purchase and installation of a pavilion at Frontier Park. **(WH)**
- 15. Consider and act upon Ordinance No. 12-01, amending Section 104.9 (Approved Material and Equipment) of Exhibit "A" of Ordinance Nos. 09-037 and 09-038 (International Residential Code and International Building Code), regarding the construction and maintenance of fences. **(WS)**

16. EXECUTIVE SESSION

Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit; and Section 551.071 Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:

16a. Section 551.071. Consultation with Town Attorney regarding Legal issues relating to the First Street/Coit Road Improvement projects.

16b. To reconvene in 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 at least 72 hours before said meeting was convened.

Amy Piukana, TRMC
Town Secretary

Date Notice Posted

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) 569-1013. BRAILLE IS NOT AVAILABLE.