

Prosper is a place where everyone matters.

MINUTES
Regular Meeting of the
Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, August 26, 2014

1. Call to Order/Roll Call.

The meeting was called to order at 6:01 p.m.

Council Members Present:

Mayor Ray Smith
Mayor Pro-Tem Meigs Miller
Deputy Mayor Pro-Tem Kenneth Dugger
Councilmember Michael Korbuly
Councilmember Mike Davis
Councilmember Curry Vogelsang, Jr.
Councilmember Jason Dixon

Staff Members Present:

Harlan Jefferson, Town Manager
Robyn Battle, Town Secretary
Terrence Welch, Town Attorney
Hulon T. Webb, Jr., Executive Director of Development and Community Services
Alex Glushko, Senior Planner
Paul Naughton, Landscape Architect
Bill Elliott, Building Official
Kent Austin, Finance Director
Trish Featherston, Accounting Manager
Baby Raley, Human Resources Director
Leslie Scott, Library Director
Sharon Alderton, Children's Librarian
Doug Kowalski, Police Chief
Gary McHone, Assistant Police Chief
Ronnie Tucker, Fire Chief

2. Invocation, Pledge of Allegiance and Pledge to the Texas Flag.

Jim Lugar of Life Journey Church led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

3. Announcements of upcoming events.

Deputy Mayor Pro-Tem Dugger made the following announcements:

The Parks & Recreation Department has added a new online portal for recreation programs. Residents may view, register, and pay for classes and other programs offered by the Town through this new online service.

Dove hunting season officially opens on September 1. The Town of Prosper has an ordinance that addresses the discharge of firearms within Town limits. The Prosper Police Department urges residents to check the Town website or contact the Police Department for hunting restrictions to help residents and hunters have a safe hunting season.

The Prosper Fire Department will host its third annual September 11 Remembrance Ceremony the morning of September 11 at 8:40 a.m. at the Fire Station. The public is invited to attend.

The annual Community Picnic will take place on Saturday, September 13, at Frontier Park from 5:00 p.m. to 8:00 p.m. The event includes free hot dogs and soft drinks until 6:00 p.m., bounce houses, games, music, and lots of fun activities for kids and families. "The Lego Movie" will begin at dusk.

The Town Council and staff would like to wish all of the Prosper ISD students, faculty, staff, Superintendent, and School Board a safe and successful school year.

4. Presentations.

- Update on Toyota Employee Relocation (**RW**)

Robert Winningham, Executive Director of the Prosper Economic Development Corporation (PEDC), presented this item before the Town Council. Toyota is relocating approximately 4,000 employees to the DFW area due to the construction of its new headquarters in Plano. Fifty-five groups of two hundred each are expected to tour the Dallas/Fort Worth area over the next several months in preparation of their relocation. The Prosper Chamber of Commerce is coordinating Prosper's efforts toward attracting potential residents, and the PEDC is supporting those efforts. Prosper and surrounding communities will have information booths for Toyota employees at the Westin Stonebriar in Frisco, every Thursday and Saturday through March of 2015. Mr. Winningham encouraged Town staff, the Town Council, and other interested parties to contact Kathleen Johnson at the Chamber of Commerce to volunteer to help with the information booth. A website, prosperwelcometoyota.com, has been created to provide information to Toyota employees.

5. CONSENT AGENDA:

(Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff.)

Deputy Mayor Pro-Tem Dugger removed Items 5b and 5c from the Consent Agenda.

5a. Consider and act upon minutes from the following Town Council meeting. (RB)

- Regular Meeting – August 12, 2014

5d. Consider and act upon Ordinance No. 14-57 amending Section 10.02.002 "Definitions" of Article 10.02 "Capital Improvements and Impact Fees" of Chapter 10 "Subdivision Regulation" of the Town's Code of Ordinances

by amending the definition of "New development" to exclude temporary modular buildings from the payment of roadway impact fees. (BE)

- 5e. Consider and act upon Resolution No. 14-58 authorizing the Town Manager to execute an application to the Texas Parks & Wildlife Small Community Park Grant for Cockrell Park. (PN)

Mayor Pro-Tem Miller made a motion and Councilmember Dixon seconded the motion to approve Items 5a, 5d, and 5e on the Consent Agenda. The motion was approved by a vote of 7-0.

Mayor Smith announced that Item 5b would be postponed to the Regular Agenda.

- 5c. Consider and act upon Ordinance No. 14-56 rezoning 93.2± acres, located on the northwest corner of Prosper Trail and Coit Road, from Agricultural (A) and Single Family-15 (SF-15) to Planned Development-Single Family (PD-SF). (Z14-0008). (AG)

Mayor Smith stated that he would abstain from voting on Item 5c due to a conflict of interest, and left the Council bench.

Mayor Pro-Tem Miller made a motion and Deputy Mayor Pro-Tem Dugger seconded the motion to approve Item 5c. The motion was approved by a vote of 6-0.

Mayor Smith returned to the Council bench.

6. **CITIZEN 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 Meeting Appearance Card" and present it to the Town Secretary prior to the meeting.)

Other Comments by the Public -

Irwin "Cap" Parry, 850 Kingsview Drive, Prosper, provided comments and suggestions regarding Prosper's efforts in promoting the Town for the Toyota Employee Relocation. Deputy Mayor Pro-Tem Dugger responded to his questions and provided some additional information. Mr. Parry also encouraged the Council to consider the creation of a committee to study Downtown Historical Prosper and the feasibility of developing a Town Hall, Library, Senior Center, or Community Center in the Downtown area. Mr. Parry encouraged the Council to consider some of the ideas mentioned in an article in a recent Parade magazine regarding downtown revitalization efforts in other small towns.

Jack Dixon, 810 Long Valley Court, Prosper, spoke regarding the overgrown weeds and bamboo along Frontier Parkway to the Dallas North Tollway. He encouraged the Town to require the property owner to maintain the property.

REGULAR AGENDA:

(If you wish to address the Council during the regular agenda portion of the meeting, please fill out a "Public Meeting Appearance Card" 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.)

- 5b. 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. (AG)**

Mayor Smith recognized the following individual who requested to speak on this item:

Jack Dixon, 810 Long Valley Court, Prosper, expressed concerns regarding traffic control and increased traffic along Kirkwood Lane as a result of the construction of the Lakes of Prosper North Amenity Center. Hulon Webb, Executive Director of Development and Community Services, responded to Mr. Dixon's concerns and provided an additional detailed map showing the development of future roadways that would minimize additional traffic in the subdivision.

PUBLIC HEARINGS:

- 7. Conduct a Public Hearing to consider and discuss the FY 2014-2015 Budget, as proposed. (KA)**

Mayor Smith opened Items 7 and 8 concurrently.

Finance Director Kent Austin presented this item before the Town Council. Mr. Austin reviewed the budget process, the proposed operating budget for FY 2014-2015, as well as the discretionary and non-discretionary decision packages that have been proposed by the Town departments. Mr. Austin then discussed the Town's revenue funds, property values and the expected revenues from those valuations, and the Effective Tax Rate versus the Rollback Tax Rate. The Town's three long-term issues to consider will be employee compensation, facilities planning, and the implementation of a Vehicle and Equipment Replacement Fund (VERF).

Fire Chief Ronnie Tucker continued the presentation, discussing the needs of the Fire Department as it expands, and the budget requests that the Fire Department has included in the FY 2014-2015 budget to support the Town's future Fire Station.

After discussion, Mayor Smith opened the Public Hearing for the FY 2014-2015 budget, as proposed.

With no one speaking, Mayor Smith closed the Public Hearing.

- 8. Conduct a Public Hearing to consider and discuss a proposal to increase total tax revenues from properties on the tax roll in the preceding year by 11.07 percent. (KA)**

Mayor Smith announced that this is the first of two public hearings to discuss the FY 2014-2015 proposed tax rate. The second Public Hearing will be held on September 9, 2014, at 6:00 p.m., at the Prosper Municipal Chambers located at 108 W. Broadway, Prosper, Texas.

The Town Council will vote on both the FY 2014-2015 Proposed Budget and the proposed tax rate at a meeting scheduled on September 23, 2014, at 6:00 p.m., located at the Town of Prosper Municipal Chambers at 108 W. Broadway, Prosper TX.

Once the Public Hearing is opened, the public is encouraged to express their views.

Mayor Smith opened the Public Hearing.

With no one speaking, Mayor Smith closed the Public Hearing.

9. Conduct a Public Hearing, and consider and act upon a request to rezone 0.2± acres, located on the north side of Broadway Street, 550± feet east of Coleman Street, from Single Family-15 (SF-15) to Downtown Office (DTO). (Z14-0012). (AG)

Senior Planner Alex Glushko presented this item before the Town Council. The request is to rezone the property to Downtown Office for the purpose of opening a real estate office. The request conforms to the Future Land Use Plan. The Planning and Zoning Commission recommended approval of the request, and Town staff recommended approval as well. Mr. Glushko answered questions related to future improvement of alleys, and fencing requirements in the Town's Zoning Ordinance.

Mayor Smith opened the Public Hearing.

With no one speaking, Mayor Smith closed the Public Hearing.

Deputy Mayor Pro-Tem Dugger made a motion and Councilmember Korbuly seconded the motion to approve a request to rezone 0.2± acres, located on the north side of Broadway Street, 550± feet east of Coleman Street, from Single Family-15 (SF-15) to Downtown Office (DTO). The motion was approved by a vote of 7-0.

DEPARTMENT ITEMS:

10. Library Services Department update. (LS)

Library Director Leslie Scott presented this item before the Town Council. She reviewed the library's accomplishments and activities since the beginning of the summer. The Library has significantly increased its programming over the summer, and participation in the Summer Reading program and other activities has far exceeded expectations. The Library has actively involved members of the community in its programming, and has worked diligently to promote programs and activities through improvements to the website, the addition of a dedicated Facebook page, and other promotional efforts. Ms. Scott provided a preview of the activities that are planned for the Fall, and ideas for future improvements. The Town Council

congratulated Ms. Scott and her staff on the success of the library over the past several months.

11. **Consider and act upon awarding Bid No. 2014-57-B to Jay Davis Company, Inc., dba JDC Construction, related to the construction services for the Southwest Corner Frontier Park Batting Cages; and authorizing the Town Manager to execute same. (PN)**

Landscape Architect Paul Naughton presented this item before the Town Council. The proposed contract would add four batting cages to the Southwest Corner of Frontier Park. The bid award does not include providing power outlets to the cages. Quotes for this service will be obtained separately to achieve more competitive pricing. Chuck Washburn, President of Prosper Little League addressed the Council, noting that the addition of the batting cages would have a significant positive impact on the Little League, and announced that nets for the batting cages will be donated by Prosper Little League. Mr. Naughton responded to questions from the Town Council regarding safety standards and accessibility to the batting cages by the public.

After discussion, Councilmember Korbuly made a motion and Deputy Mayor Pro-Tem Dugger seconded the motion to approve the award of Bid No. 2014-57-B to Jay Davis Company, Inc., dba JDC Construction, related to the construction services for the Southwest Corner Frontier Park Batting Cages, in the amount of \$83,000; and authorizing the Town Manager to execute same. The motion was approved by a vote of 6-1.

12. **EXECUTIVE SESSION:**

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

12a. Section 551.087 – To discuss and consider economic development incentives.

12b. Section 551.072 – To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.

12c. Section 551.074 – To discuss appointments to the Planning & Zoning Commission, Parks & Recreation Board, Prosper Economic Development Corporation Board, Board of Adjustment/Construction Board of Appeals, and Library Board.

The Town Council recessed into Executive Session at 8:09 p.m.

13. **Reconvene in Regular Session and take any action necessary as a result of the Closed Session.**

The Town Council reconvened the Regular Session at 9:33 p.m.

The following action was taken as a result of Executive Session:

Deputy Mayor Pro-Tem Dugger made a motion and Councilmember Vogelsang seconded the motion to authorize the Town Manager to execute a Real Estate Purchase and Sale Agreement for 18.639± acres. The motion was approved by a vote of 7-0.

14. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.

- Hawk Ridge Channel Improvements (HW)

Hulon Webb, Executive Director of Development and Community Services, presented this item before the Town Council. Town staff will bring forward items on a future Town Council agenda to address drainage improvements at the corner of Church Street and Seventh Street, and also in the Hawk Ridge subdivision.

Councilmember Korbuly requested the Town staff perform a traffic study to determine the need for a four-way stop at the intersection of Kiowa Drive and Shadow Hill Drive.

Councilmember Korbuly also asked for an update at a future meeting on the progress and timeline for the scheduled improvements at the Southwest Corner of Frontier Park.

Town Manager Harlan Jefferson announced that Town staff is preparing an amendment to the Zoning Ordinance related to the deadline for property owners to submit a zoning protest.

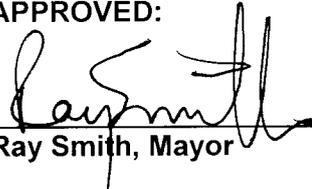
Mayor Smith recognized Assistance Fire Chief Stuart Blasingame for a letter the Mayor received from a local realtor commending Assistant Chief Blasingame for the positive impression he gave to a prospective resident during a recent encounter. The Mayor and Town Council expressed appreciation to Assistant Chief Blasingame for representing the Town in such a positive way.

15. Adjourn.

The meeting was adjourned at 9:43 p.m.

These minutes approved on the 9th day of September, 2014.

APPROVED:


Ray Smith, Mayor

ATTEST:


Robyn Battle, Town Secretary