



Prosper is a place where everyone matters.

MINUTES
Regular Meeting of the
Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, April 28, 2015

1. Call to Order/Roll Call.

The meeting was called to order at 6:00 p.m.

Council Members Present:

Mayor Ray Smith
Mayor Pro-Tem Meigs Miller
Deputy Mayor Pro-Tem Kenneth Dugger
Councilmember Curry Vogelsang, Jr.
Councilmember Michael Korbuly
Councilmember Mike Davis
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
John Webb, Director of Development Services
Todd White, Building Official
Kim Galvin, Interim Finance Director
Ronnie Tucker, Fire Chief
Doug Kowalski, Police Chief
Gary McHone, Assistance Police Chief
Sergeant Paul Norris

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

Pastor David Hancock of Living Springs Fellowship led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

3. Announcements of upcoming events.

Councilmember Dixon made the following announcements:

On Monday, May 18, Prosper will offer a "Smart Watering During Restrictions" seminar at the Public Works Office, located at 601 West Fifth Street, just west of the Burlington Northern Santa Fe Rail Line. This seminar will give a general overview of drip irrigation, new water-conserving technologies, irrigation scheduling, and rainwater harvesting. Contact Tristan Cisco, Water Conservation Coordinator, for more information.

The Town Council would like to commend Police Chief Doug Kowalski for receiving the Gary W. Sykes Award for Professional Achievement in Law Enforcement. The

award is presented annually to an individual who has been in law enforcement for at least 10 years, has been instrumental in bringing about significant organizational change for the good of the profession, is significantly involved in community service and civic activities, and is a role model to law enforcement officers, support personnel, criminal justice professionals, and citizens. Congratulations, Chief Kowalski.

The Town Council would like to congratulate the Prosper High School Baseball Team on their successful season. They play their final home game tonight, which is also Senior Night, at 7:30 p.m. So far, the Eagle Baseball team is undefeated in district play. Congratulations to the Prosper High School boys and girls golf teams for winning the district championship recently.

Deputy Mayor Pro-Tem Dugger announced that early voting will continue in Prosper Municipal Chambers through May 5, and Election Day is May 9 at the Prosper ISD Central Administration Building. Election information is available on the Town's website.

4. **Presentations.**

- **Presentation of a Proclamation to members of the Prosper Police Department declaring May 10-16, 2015, as *Police Week*, and declaring May 15, 2015, as *Peace Officers Memorial Day*. (RB)**

Police Chief Kowalski, Assistant Police Chief McHone, and Sergeant Norris were present to receive the Proclamation.

- **Presentation of Certificates of Appreciation to the members of the Centennial Celebration Committee. (RB)**

Several members of the Centennial Celebration Committee were present to receive their Certificates of Appreciation, and the Mayor thanked them for their service over the past year.

- **Recognition of Steve Arbanas with Gallery Homes as Second Runner-Up, Mark Clary with Megatel Homes as First Runner-Up, and Mark Covington with Drees Homes as the recipient of the Building Inspection's "2014 Builder of the Year Award." (TW)**

Building Official Todd White presented the awards to the 2014 winners.

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.)

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

- **Regular Meeting – April 14, 2015**

- 5b. **Receive the March 2015 Financial Report. (KG)**

- 5c. **Receive the Quarterly Investment Report. (KG)**
- 5d. **Consider and act upon approving a renewal to the Bank Depository Services Agreement between Independent Bank and the Town of Prosper; and authorizing the Town Manager to execute same. (KG)**
- 5e. **Consider and act upon Resolution 15-23 reviewing, updating, and adopting the Town of Prosper and Prosper EDC Investment Policy and Investment Strategy. (KG)**

Councilmember Vogelsang removed Item 5f from the Consent Agenda.

Deputy Mayor Pro-Tem Dugger made a motion and Mayor Pro-Tem Miller seconded the motion to approve all remaining items on the Consent Agenda. The motion was approved by a vote of 7-0.

- 5f. **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)**

Director of Development Services John Webb responded to Councilmember Vogelsang's questions about the Gates of Prosper fountain and gateway features. Mr. Webb responded that he would research the questions and respond. Mr. Webb also responded that the Adara subdivision at Windsong Ranch is underway. Councilmember Vogelsang made a motion and Deputy Mayor Pro-Tem Dugger seconded the motion to approve Item 5f. The motion was approved by a vote of 7-0.

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 -

There were no Citizen Comments.

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.)

PUBLIC HEARINGS:

7. **Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan, located on the northwest corner of Prosper Trail and the future Shawnee Trail, from Medium Density Residential to Dallas North Tollway District. The property is zoned Single Family-15 (SF-15) and Commercial Corridor (CC). (CA15-0002). [Companion Case Z14-0005] (JW)**

Mayor Smith open Items 7 and 8 concurrently.

8. **Conduct a Public Hearing and consider and act upon a request to rezone 67.7± acres, located on the northwest corner of Prosper Trail and Dallas Parkway, from Single Family-15 (SF-15) and Commercial Corridor (CC) to Planned Development-Single Family/Office/Retail (PD-SF/O/R). (Z14-0005). [Companion Case CA15-0002] (JW)**

Director of Development Services John Webb presented both items before the Town Council concurrently. The applicant has requested that both items be tabled to the May 12, 2015, Town Council meeting to address Council's concerns and prepare a final presentation. Mayor Pro-Tem Miller made a motion and Councilmember Mike Davis seconded the motion to table Items 7 and 8 to the May 12, 2015, Town Council meeting. The motion was approved by a vote of 7-0.

9. **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:

- 9a. ***Section 551.087 – To discuss and consider economic development incentives.***
- 9b. ***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.***
- 9c. ***Section 551.071 – Consultation with Town Attorney regarding legal issues associated with proposed extraterritorial jurisdiction release, and all matters incident and related thereto.***

The Town Council recessed into Executive Session at 6:19 p.m.

Mayor Smith left the Executive Session at 6:34 p.m.

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

The Regular Session was reconvened at 7:04 p.m. No action was taken as a result of Executive Session.

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

- **Update on Town Hall / Multi-Purpose Building. (HW)**

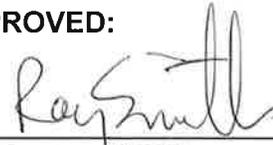
Hulon Webb, Executive Director of Development and Community Services, updated the Town Council on the progress of the Town Hall/Multi-Purpose Building. The design portion of the project will be done by Randall Scott Architects. Mr. Webb presented photographs of several Town Hall facilities in the North Texas area, and inquired if the Town Council would like to take a tour of any of the facilities. The Town Council provided feedback on the facilities they preferred and will take a tour in late May.

12. Adjourn.

The meeting was adjourned at 7:19 p.m.

These minutes approved on the 12th day of May, 2015.

APPROVED:



Ray Smith, Mayor

ATTEST:



Robyn Battle, Town Secretary