



Prosper is a place where everyone matters.

MINUTES
Regular Meeting of the
Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, July 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 Curry Vogelsang, Jr.
Councilmember Kenneth Dugger
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 Webb, Executive Director of Development and Community Services
Alex Glushko, Senior Planner
Frank Jaromin, Director of Public Works
Doug Kowalski, Police Chief

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

Pastor Kenny Thacker of Lighthouse Christian Fellowship led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

3. Announcements of recent and upcoming events.

Mayor Pro-Tem Miller read the following announcements:

Registration is open for several Parks and Recreation Programs including Bricks 4 Kids, Archery, Tennis, Engineering Camps, adult fitness classes, and much more. Visit the Town of Prosper website for more information on how to register. Several local youth sports leagues are also open for registration.

The Parks and Recreation Department is holding a "Wild in Prosper" photo contest through July 31. Visit a Town of Prosper park, take a photo, and submit your entry to recreation@prospertx.gov. For contest rules, see the Town website.

The Public Works Department will offer a Drip Irrigation Do-It-Yourself Course on August 10 from 6:30-8:30 p.m. at the Public Works Office, located at 601 W. Fifth Street. Contact Tristan Cisco with Public Works for more information.

The Library will host its "End of Summer" event on August 1 from 10:00 a.m.-1:00 p.m. Children and youth may return their completed 500-minute reading challenge forms to receive a trophy, certificate, or prizes. There will also be a face painter, crafts, and the Prosper Police Department will offer kid print ID cards.

The Town Secretary's Office is accepting applications for the Town's various Boards and Commissions through Friday, August 7. Applications and information are available on the Town's website, or by contacting the Town Secretary, Robyn Battle.

4. 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.)

4a. Consider and act upon minutes from the following Town Council meeting. (RB)

- Regular Meeting – July 14, 2015

4c. 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)

Councilmember Dugger removed Item 4b from the Consent Agenda.

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

4b. Consider and act upon an ordinance rezoning 12.3± acres, from Commercial (C) to Planned Development-Retail (PD-R), located on the west side of Custer Road, 200± feet north of US 380. (Z15-0009). (JW)

Councilmember Dugger clarified that he opposed the zoning request due to a lack of screening on the north side of the site, however, he is in favor of the project. Councilmember Dugger made a motion and Mayor Pro-Tem Miller seconded the motion to approve Ordinance No. 15-46 rezoning 12.3± acres, from Commercial (C) to Planned Development-Retail (PD-R), located on the west side of Custer Road, 200± feet north of US 380. The motion was approved by a vote of 7-0.

5. 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.)

DEPARTMENT ITEMS:

6. **Consider and act upon an ordinance amending Chapter 13, "Utilities," of the Code of Ordinances, by adding thereto a new Article 13.10, "Backflow Prevention Plan" and amending Appendix A, "Fee Schedule," to the Code of Ordinances by adding thereto a new Section XVIII, "Backflow Prevention Plan and Enforcement Fees." (FJ)**

Public Works Director Frank Jaromin presented this item before the Town Council. The purpose of the proposed Backflow Prevention Plan is to comply with the Texas Commission on Environmental Quality (TCEQ) Rules and Regulations for Public Water Systems in order to protect the public water supply from potential contamination. Mr. Jaromin explained the details of the plan, including inspection, testing, registration requirements, and fees associated with the plan. Testing will be performed on all new installations for residential systems, and commercial systems will be tested once per year.

After discussion, Councilmember Korbuly made a motion and Councilmember Dugger seconded the motion to approve Ordinance No. 15-45 amending Chapter 13, "Utilities," of the Code of Ordinances, by adding thereto a new Article 13.10, "Backflow Prevention Plan" and amending Appendix A, "Fee Schedule," to the Code of Ordinances by adding thereto a new Section XVIII, "Backflow Prevention Plan and Enforcement Fees." The motion was approved by a vote of 7-0.

7. **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:

- 7a. ***Section 551.087 – To discuss and consider economic development incentives.***

7b. 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.

7c. Section 551.071 – Consultation with Town Attorney regarding legal issues associated with Article 1.10 of Chapter 1 of the Code of Ordinances, and all matters incident and related thereto.

The Town Council recessed into Executive Session at 6:14 p.m.

Mayor Smith left the Executive Session at 7:37 p.m.

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

The Town Council reconvened the Regular Session at 7:52 p.m. No action was taken as a result of the Executive Session.

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

- **CIP Projects (HW)**
 - **Town Hall/Multi-Purpose Facility**

Hulon Webb, Executive Director of Development and Community Services, introduced Randall Scott of Randall Scott Architects, who reviewed the firm's recommendations based on the needs assessment which had been previously performed. Greg Conaway, also from Randall Scott Architects, provided a preliminary cost comparison for the Town Hall/Multi-Purpose Facility. The building is estimated to be approximately 50,000 square feet, and cost \$22-\$24 million.

Mr. Webb clarified the scope of the off-site development costs, which would include water, sewer, drainage, and roadway improvements.

- **Coleman Road Reconstruction Project**

Mr. Webb reported that all of the pavement has been installed. The project should be completed around the middle of August.

- **West Prosper Road Improvements**

Town staff is continuing to work with the engineer for this project. The pre-construction meeting should take place in about two weeks, after the geotechnical analysis is finished. The project should be complete within about nine months.

- **SH 289 Median Lighting and Landscaping**

The illuminated street name signs have been installed and are lit, and the street lights have been installed and should be connected and lit soon.

Town staff is also working with TXDOT to have groundcover and landscaping installed in the medians, and the trees staked. A gateway feature at the 380 overpass was also discussed.

- **Frontier Park Parking. (HW)**

Mr. Webb provided a cost estimate on adding parking to Frontier Park. Council gave direction to begin the bidding process now, but to include the funding for the project in the proposed FY 2015-2016 budget.

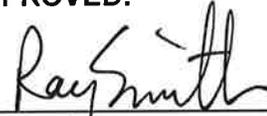
Councilmember Dixon requested staff inquire about screening the facility on the south side of Frontier Parkway, to provide an update on the development at the Episcopal church, and to provide an update on the façade plan for the Corner Store at La Cima and US 380.

10. Adjourn.

The meeting was adjourned at 8:44 p.m.

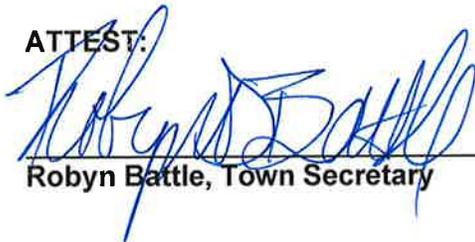
These minutes approved on the 11th day of August, 2015.

APPROVED:



Ray Smith, Mayor

ATTEST:



Robyn Battle, Town Secretary