



MINUTES

Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway Street
Prosper, TX 75078
Tuesday, June 14, 2016

Prosper is a place where everyone matters.

1. Call to Order/Roll Call.

The meeting was called to order at 6:02 p.m.

Council Members Present:

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

Staff Members Present:

Harlan Jefferson, Town Manager
Robyn Battle, Town Secretary/Public Information Officer
Terrence Welch, Town Attorney
Hulon Webb, Executive Director of Development and Community Services
John Webb, Development Services Director
January Cook, Purchasing Agent
Leslie Scott, Library Director
Julie Shivers, Parks & Recreation Coordinator
Frank Jaromin, Public Works Director
Doug Kowalski, Chief of Police

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

Councilmember Mike Davis led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

3. Announcements of recent and upcoming events.

Councilmember Mike Korbuly read the following announcements:

The Library held its Summer Reading Challenge Kickoff event on Saturday June 11. Approximately 120 people attended, and 250 items were checked out within a two-hour period. The Summer Reading Challenge runs through the end of July. Other summer events include storytime and other children's programs on Tuesdays and Thursdays.

The Parks and Recreation Department and the Library are partnering this year on a brand new program called "Fun Fridays at Frontier." Weekly themed programs will promote a fun and active schedule to keep young people physically and mentally fit and active during the summer months. More information about summer programs is available on the Town's website.

The Prosper Summer Series will continue on Friday, July 1, with the Pride in the Sky Independence Day Celebration at Frontier Park. Come out and enjoy this community-wide event that will include lots of family fun. Bring your blankets and lawn chairs and enjoy the fireworks.

4. Presentations.

- **Presentation of a check to Reynolds Middle School as the top participating school in the It's Time Texas Community Challenge. (RB)**

The Town Council presented a check for \$1,500 to Mr. Greg Bradley, Principal of Reynolds Middle School, for school health initiatives.

Mayor Smith postponed the remaining presentation until after Citizen Comments.

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 meetings. (RB)

- **Regular Meeting – May 24, 2016**
- **Special Called Meeting – May 31, 2016**

5b. Receive the April Financial Report. (BP)

5c. Consider and act upon Resolution No. 16-41 declaring the Town of Prosper as a hybrid entity, designating the Town's health care components, and designating a HIPAA Privacy and Security Officer. (RB)

5d. Consider and act upon approval of the Prosper Youth Sports Commission's amended bylaws. (HW)

5e. 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)

Deputy Mayor Pro-Tem Dixon made a motion and Councilmember Miller seconded the motion to approve all items on the Consent Agenda. 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.

John Taylor, 4610 Autumn Sage Drive, Prosper, presented photographs and spoke regarding road conditions surrounding Windsong Ranch and traffic light timing at the intersection of US Hwy 380 and Gee Road.

Mark Franklin, 4501 Desert Willow Drive, Prosper, spoke regarding traffic conditions in Windsong Ranch.

Allen Rutter, 4561 Acacia Parkway, Prosper, spoke regarding traffic conditions in Windsong Ranch.

Luther Sims, 980 S. Coit Road, Prosper, spoke regarding increased crime in apartment complexes in Prosper.

Darla Atchley, 4500 Honeyvine Lane, Prosper, spoke regarding traffic conditions in Windsong Ranch.

Mayor Smith continued with the Presentations following Citizen Comments.

4. Presentations.

- **Presentation by Library Director Leslie Scott on the Town of Prosper Book Trail. (RB)**

Library Director Leslie Scott presented information on the Town of Prosper Book Trail, a collaborative effort between Texas A&M Agri-Life, the Prosper Community Library, and the Town of Prosper Public Works and Parks and Recreation Departments. The Book Trail Reveal Party will be held on Saturday, June 18.

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 for a Special Purpose Sign District for Windsong Ranch Marketplace, on 46.6± acres, located on the northeast corner of US 380 and Gee Road. (MD16-0002). (JW)**

Development Services Director John Webb presented this item before the Town Council. The applicant requested this item be tabled to allow time to amend the proposed request.

Councilmember Davis made a motion and Mayor Pro-Tem Vogelsang seconded the motion to table Item 7 to the June 28, 2016, Town Council meeting. The motion was approved by a vote of 7-0.

- 8. Conduct a Public Hearing, and consider and act upon an ordinance rezoning 2.6± acres, located on the east side of Preston Road, 1,750± feet south of Prosper Trail, from Single Family-15 (SF-15) to Retail (R). (Z16-0009). (JW)**

Development Services Director John Webb presented this item before the Town Council. The purpose of the request is to allow for the development of a future retail and/or office development.

Mayor Smith opened the Public Hearing.

David Bond with Spiars Engineering, spoke in favor of the item on behalf of the applicant.

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

Deputy Mayor Pro-Tem Dixon made a motion and Councilmember Dugger seconded the motion to approve Ordinance No. 16-42 rezoning 2.6± acres, located on the east side of Preston Road, 1,750± feet south of Prosper Trail, from Single Family-15 (SF-15) to Retail (R). The motion was approved by a vote of 7-0.

DEPARTMENT ITEMS:

Mayor Smith postponed Item 9 until after Executive Session

10. **Consider and act upon canceling the May 10, 2016 award for the purchase of automated license plate readers from ARC Government Solutions, Inc.; and approving the purchase of automated license plate readers from Trinity Innovative Solutions, LLC; and authorizing the Town Manager to execute an Enterprise Service Agreement and Federal Bureau of Investigation Criminal Justice Information Services Security Addendum with Vigilant Solutions, Inc., for the related software. (DK)**

Police Chief Doug Kowalski presented this item before the Town Council. Automated license plate readers (LPR) are used by law enforcement agencies across the country to identify persons or vehicles whose license plates are connected to a crime or infraction. Cameras mounted to police vehicles automatically take photos of license plates. The license plate characters in the photo are then translated into letters and numbers, and compared to law enforcement databases of registered vehicles known to be, or suspected of being involved with crimes or infractions. If a license plate that was read matches an entry on a database, the LPR system will alert the officer that a suspect vehicle is in the immediate area of that LPR system. Town Council approved the purchase of the LPRs from ARC Government Solutions, Inc., at the May 10, 2016, Town Council meeting. The vendor was unable to honor the original proposal, so a new vendor has been selected.

After discussion, Mayor Pro-Tem Vogelsang made a motion and Councilmember Korbuly seconded the motion to cancel the May 10, 2016, award for the purchase of automated license plate readers from ARC Government Solutions, Inc.; approve the purchase of automated license plate readers from Trinity Innovative Solutions, LLC; and authorize the Town Manager to execute an Enterprise Service Agreement and Federal Bureau of Investigation Criminal Justice Information Services Security Addendum with Vigilant Solutions, Inc., for the related software. The motion was approved by a vote of 7-0.

11. **Consider and act upon awarding Bid No. 2016-51-B Prosper Road Improvement Project 2016, to SPI Asphalt, LLC, related to construction services for Prosper Trail (Coit Road to Custer Road); and authorizing the Town Manager to execute a construction agreement for same. (FJ)**

Public Works Director Frank Jaromin presented this item before the Town Council. The contractor will reconstruct portions of Prosper Trail between Coit Road and Custer Road by removing multiple existing asphalt failures, compacting the sub grade, and installing five inches of new asphalt prior to installing a single course chip seal and new thermoplastic pavement markings the entire length of the project. During construction, delays are expected during the day due to the moving lane closure. The contract specifies a substantial completion time of 50 calendar days. Staff anticipates the construction will begin before the end of this month and be complete prior to school resuming in the fall.

After discussion, Mayor Pro-Tem Vogelsang made a motion and Councilmember Miller seconded the motion to award Bid No. 2016-51-B to SPI Asphalt, LLC., related to construction services for the Prosper Trail (Coit Road to Custer Road); and authorize the Town Manager to execute a construction agreement for same. The motion was approved by a vote of 7-0.

12. Consider and act upon a request for a façade exception for Windsong Ranch Townhomes Mail Kiosk, on 1.0± acre, located on the southwest corner of Foxglove Lane and White Clover Lane. (MD16-0004). (JW)

The developer of the Windsong Ranch Townhome project has submitted a request for a façade exception for the development's mail kiosk. In lieu of individual mailboxes at each townhome unit, the residents will retrieve their mail at the centrally-located kiosk. The applicant is requesting the exterior of the structure be constructed of stainless steel gabion baskets filled with limestone aggregate along with Knotwood aluminum boards. The standards of the Zoning Ordinance require a 100% exterior masonry material; therefore, a façade exception is required. David Blom, representative of Windsong Ranch, further explained the design elements of the proposal.

After discussion, Councilmember Dugger made a motion and Councilmember Korbuly seconded the motion to approve the request for a façade exception for Windsong Ranch Townhomes Mail Kiosk, on 1.0± acre, located on the southwest corner of Foxglove Lane and White Clover Lane. The motion was approved by a vote of 7-0.

13. 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:

13a. Section 551.087 – To discuss and consider economic development incentives.

13b. 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.

13c. Section 551.071 – Consultation with the Town Attorney regarding legal issues associated with TABC permits for special events, and all matters incident and related thereto.

13d. Section 551-074 – To discuss appointments to the Board of Adjustment/Construction Board of Appeals, Parks and Recreation Board, Library Board, Prosper Economic Development Corporation Board, and Planning & Zoning Commission.

The Town Council recessed into Executive Session at 7:30 p.m.

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

The Town Council reconvened the Regular Session at 8:10 p.m.

Councilmember Miller made a motion and Councilmember Dugger seconded the motion to appoint Bobby Atteberry to complete the unexpired term for Place 5 of the Planning & Zoning Commission. The motion was approved by a vote of 7-0.

9. Consider and act upon appointing a Charter Review Commission. (RB)

Councilmember Miller made a motion and Deputy Mayor Pro-Tem Dixon seconded the motion to appoint the following individuals to the Charter Review Commission:

Councilmember Kenneth Dugger
Roger Thedford
J.D. Sanders
Bill Beavers
Tom Aiken
Teague Griffin
Robert Griffis
Mike Goddard
Charles Cotten
Cameron Reeves

Alternate:
Councilmember Mike Korbuly

The motion was approved by a vote of 7-0.

Mayor Smith appointed Councilmember Dugger as Chairman of the Charter Review Commission.

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

• **Town Hall/Multi-Purpose Facility. (HW)**

Hulon Webb, Executive Director of Development and Community Services, provided an update on the Town Hall/Multi-Purpose Building project. Council requested to review the information provided by the project architect at least one week prior to the next Council presentation on July 12, 2016.

- **Proposed Timeline for Solid Waste/Recycling RFP. (HJ)**

Town Manager Harlan Jefferson provided an update on the request for proposals for Solid Waste/Recycling Services.

- **Town Council Subcommittees. (RB)**

Town Secretary/PIO Robyn Battle reviewed the existing Town Council subcommittees and the Council members that serve on each. The Council requested that this item be discussed again in the spring.

Councilmember Dugger asked Town Manager Harlan Jefferson about future plans for a new Police Station. Mr. Jefferson responded that the topic would be discussed at the June 29 Budget Work Session.

Deputy Mayor Pro-Tem Dixon asked staff to follow up with the Prosper Economic Development Corporation about federal, local, and regional funds that may be available for security projects.

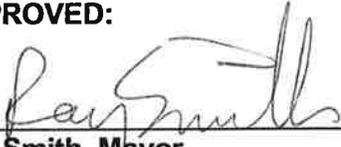
Councilmember Davis asked staff to look into the policy for closing parking at Town parks for special events.

16. Adjourn.

The meeting was adjourned at 8:29 p.m. on Tuesday, June 14, 2016.

These minutes approved on the 28th day of June, 2016.

APPROVED:



Ray Smith, Mayor

ATTEST:



Robyn Battle, Town Secretary