



Prosper is a place where everyone matters.

MINUTES
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway Street
Prosper, TX 75078
Tuesday, July 26, 2016

1. Call to Order/Roll Call.

The meeting was called to order at 6:03 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
Alex Glushko, Senior Planner
Jonathan Hubbard, Planner
Frank Jaromin, Public Works Director
Leslie Scott, Library Director
January Cook, Purchasing Agent
Doug Kowalski, Chief of Police

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.

Councilmember Dugger read the following announcements:

Fishtrap Road from Teel Parkway to Dallas North Tollway has been resurfaced with asphalt and is now open to two-way traffic. The widening of the intersection at Fishtrap Road and the Dallas North Tollway, as well as installation of a traffic signal, are still underway and will be complete prior to the first day of school.

Registration is open for several Parks & Recreation Programs including Bricks4Kids, Archery, Tennis, Golf, Engineering Camps, adult fitness classes, and much more. Visit www.prosperparksandrec.org for more information, and to register. Several local youth sports leagues are also open for registration.

The Library will host its "Summer Grand Finale" event on Saturday, August 13 from 11:00 a.m.-3:00 p.m. Activities will include crafts, guest story-time readers, snacks, face painting and prizes.

The Town Secretary's Office is accepting applications for the Town's various Boards and Commissions through Friday August 5. Applications and information are available on the Town website, or by contacting the Town Secretary, Robyn Battle.

Councilmember Dugger also announced that the Prosper Lions club will host a lecture from a World War II Veteran about the battle of Iwo Jima on Friday, August 5, at 7:00 p.m. at St. Paul's Episcopal Church in Prosper. The public is welcome to attend this free event.

Mayor Smith announced that Items 6 and 7 on tonight's agenda have been withdrawn at the request of the applicant, and will not be considered by the Town Council.

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 meetings. (RB)**
- **Regular Meeting – July 26, 2016**

Deputy Mayor Pro-Tem Dixon removed Item 4b from the Consent Agenda.

Councilmember Korbuly made a motion and Councilmember Dugger seconded the motion to approve Item 4a on the Consent Agenda. The motion was approved by a vote of 7-0.

- 4b. 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 Miller inquired about a minor error on the site plan presented, and staff indicated that the error will be corrected.

Councilmember Miller made a motion and Councilmember Dugger seconded the motion to approve Item 4b on the Consent Agenda. 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.

Bill Hays, 2316 CreekrIDGE Drive, McKinney, TX, spoke in favor of a museum in the new Town Hall/Multi-Purpose Facility, noting that the idea for a museum has been discussed since 2002. He asked the Town Council to reconsider allocating space for a museum in the new facility.

Jeff Hodges, 141 Springbrook Drive, Prosper, spoke in favor of continuing the adult softball program in Prosper, and asked the Town to allocate field space for league play.

Irwin "Cap" Parry, 850 Kingsview Drive, Prosper, spoke in favor of a museum in the new Town Hall/Multi-Purpose Facility.

Daniel Knox, 701 Lockton Lane, Prosper, spoke in favor of continuing the adult softball program and other adult sports leagues, and encouraged the Town to allocate field space for league play.

Julie Boyer Vest, 4060 CR 84, Prosper, spoke in favor of a museum in the new Town Hall/Multi-Purpose Facility, noting that several generations of her family have been Prosper residents.

Donna Elliott, PO Box 344, Prosper, spoke in favor of keeping businesses separate from residences in the Downtown area. She also asked the Town Council to consider allocating space in the new Town Hall/Multi-Purpose Facility for a museum. She presented written comments for the record.

The following individuals did not wish to speak, but expressed their support for a museum in the new Town Hall/Multi-Purpose Facility:

Marty Matthews, PO Box 757, Prosper
Betty Stewart, 1646 Betts Lane, Prosper
Betty Hughes, 107 Lane, Prosper
Thelma Griffin, 1259 Chandler Circle, Prosper
Rebecca Hunter, 841 Rock Hill Road, Prosper
Ann Lieber, 1190 Crooked Stick Drive, Prosper

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:

- 6. Conduct a Public Hearing and consider and act on a request to amend the Future Land Use Plan from Retail & Neighborhood Services to High Density Residential, on the northeast corner of First Street and Coit Road, to allow for an age-restricted, private gated, senior living development. (CA16-0002). [Companion Case Z16-0004] (JW)**

This item was withdrawn at the request of the applicant.

- 7. Conduct a Public Hearing and consider and act upon a request to rezone 12.7± acres, from Retail (R) to Planned Development-Multifamily (PD-MF), located on the northeast corner of First Street and Coit Road, to allow for an age-restricted, private gated, senior living development. (Z16-0004). [Companion Case CA16-0002] (JW)**

This item was withdrawn at the request of the applicant.

8. **Conduct a Public Hearing, and consider and act upon a request for a Specific Use Permit (SUP) for a retail building with a flat roof, parapet wall and cornice, in the Shops at Prosper Trail, Block A, Lot 3, on 1.3± acres, located on the east side of Preston Road, 175± feet north of Prosper Trail. (S16-0007). (JW)**

At the June 28, 2016, Council meeting, the Town Council tabled this item to allow the applicant the opportunity to revise the building elevations. The applicant has revised the building elevations by incorporating additional roof elements, incorporating more stone into the façade of the building, and adding windows along each elevation. Don Silverman, the applicant, provided additional information related to the request.

Mayor Smith opened the Public Hearing.

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

After discussion, Deputy Mayor Pro-Tem Dixon made a motion and Councilmember Dugger seconded the motion to approve a request for a Specific Use Permit (SUP) for a retail building with a flat roof, parapet wall and cornice, in the Shops at Prosper Trail, Block A, Lot 3, on 1.3± acres, located on the east side of Preston Road, 175± feet north of Prosper Trail. The motion was approved by a vote of 7-0.

9. **Conduct a Public Hearing, and consider and act upon an ordinance amending the Town's Zoning Ordinance, Ordinance No. 05-20, as amended, by amending Subsection 2.6 of Section 2 of Chapter 4, Subsection 4.3 of Section 4 of Chapter 4, and Subsection 5.2 of Section 5 of Chapter 4 regarding Downtown Office (DTO) District landscaping, screening and off-street parking requirements. (Z16-0012). (JW)**

Development Services Director John Webb presented this item before the Town Council. Town staff has identified regulations contained within the landscape, screening and off-street parking requirements of the DTO standards which should be amended to accommodate the development of new office buildings and the conversion of existing homes into offices. Mr. Webb provided an overview of the proposed amendments.

Mayor Smith opened the Public Hearing.

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

After discussion, Councilmember Dugger made a motion and Councilmember Korbuly seconded the motion to approve Ordinance No. 16-46 amending the Town's Zoning Ordinance, Ordinance No. 05-20, as amended, by amending Subsection 2.6 of Section 2 of Chapter 4, Subsection 4.3 of Section 4 of Chapter 4, and Subsection 5.2 of Section 5 of Chapter 4 regarding Downtown Office (DTO) District landscaping, screening and off-street parking requirements. The motion was approved by a vote of 7-0.

DEPARTMENT ITEMS:

10. **Consider and act upon awarding Bid No. 2016-58-B Prosper Road Improvement Project 2016, to GRod Construction, LLC, related to construction services for DNT and Prosper Trail Reconstruction; 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 purpose of the project is to reconstruct portions of Prosper Trail at the DNT and the DNT at CR 27 by removing multiple existing concrete failures, compacting the sub grade, and installing eight inches of new concrete. The project is expected to be completed within 50 calendar days.

After discussion, Councilmember Miller made a motion and Councilmember Dugger seconded the motion to award Bid No. 2016-58-B Prosper Road Improvement Project 2016, to GRod Construction, LLC, related to construction services for DNT and Prosper Trail Reconstruction; and authorize the Town Manager to execute a construction agreement for same. The motion was approved by a vote of 7-0.

11. **Discussion on Town Hall/Multi-Purpose Facility. (HW)**

Hulon Webb, Executive Director of Development and Community Services, introduced Randall Scott of Randall Scott Architects (RSA), who presented this item before the Town Council. Mr. Scott provided an update to the Town Council on the design of the Town Hall/Multi-Purpose Facility by presenting revised exterior elevations, several material selection boards, and interior renderings of the main lobby, Council chambers, the executive conference room, and the library. RSA will submit construction documents and specifications to Pogue Construction, the Construction Manager-At-Risk, by the end of the week. Pogue will then propose a Guaranteed Maximum Price (GMP), which will be presented to the Town Council for consideration at a future meeting. RSA will provide a list of cost-saving options at that time. The Facility is scheduled to be complete by the end of 2017, or early 2018.

Mr. Scott provided several sample material boards for exterior finishes, carpet, and paint colors. A landscape plan has been designed and reviewed by staff, and will be presented to Council at a future date. The executive conference room will be designed to function as a temporary Emergency Operations Center in the event of an emergency. Some of the original display cases in the lobby have been removed to provide better acoustics for the space. Councilmember Dixon requested the reception desk be U-shaped to better conceal the area behind the desk. He also asked that the cupola be lighted, and to reconsider the color of the wood stain on the dais and trim. Councilmember Dugger requested that the dais be raised higher than six inches. Council requested that carpet squares rather than rolled carpet be used since it is easier to repair and replace. The Council requested copies of the revised floor plan, which Mr. Webb will provide. Councilmember Davis requested an estimate on the cost of operation of a building this size. Town Manager Harlan Jefferson provided an estimate of \$600,000 per year; however, the estimate has not been fully vetted. RSA will work closely with Library Director Leslie Scott on the design of the Library space. Town staff will keep the sample material boards for review and Town staff will respond to RSA with recommendations for interior and exterior finish materials at a later date.

Mayor Smith recognized one individual who submitted comments on this item:

Jack Dixon, 810 Long Valley Court, Prosper, expressed his support for a museum in the new Town Hall/Multi-Purpose Facility, and submitted written comments for the record.

No further action was taken.

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.

The Town Council recessed into Executive Session at 8:19 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 8:45 p.m. No action was taken as a result of Executive Session.

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

- **FY 2016-2017 Budget Calendar. (RB)**

Town Secretary Robyn Battle briefed the Council on the FY 2016-2017 budget and tax rate adoption calendar. Town staff is proposing a change to the calendar to adopt the budget and tax rate at a special meeting on September 19 in order to meet Collin County's deadline for mailing tax statements. The original adoption date had been set for September 27. The Town Council agreed to the new date.

- **Broadway Enhancements. (HW)**

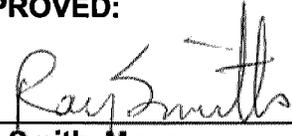
Hulon Webb presented options associated with improving Broadway Street. The Town has already budgeted \$550,000 for sidewalks, lighting and landscaping improvements from Coleman Street to Crockett Street, and a portion of South Main Street. The Town Council approved expanding the scope of the project to include the current scope, plus full concrete curb and gutter improvements from Coleman Street to McKinley Street.

15. Adjourn.

The meeting was adjourned at 9:08 p.m. on Tuesday, July 26, 2016.

These minutes approved on the 9th day of August, 2016.

APPROVED:



Ray Smith, Mayor

ATTEST:



Robyn Battle, Town Secretary