



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, October 11, 2016

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 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

Leslie Scott, Library Director

Kelly Neal, Finance Director

Betty Pamplin, Accounting Manager

Doug Kowalski, Chief of Police

Gary McHone, Assistant Police Chief

Barrett Morris, Police Sergeant

Ronnie Tucker, Fire Chief

Stuart Blasingame, Assistant Fire Chief

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

Pastor Blair Robinson of Prestonwood Baptist Church led the invocation. The Pledge of Allegiance and the Pledge to the Texas flag were recited.

3. **Announcements of recent and upcoming events.**

Tuesday, October 11 is the last day to register to vote or make a change of address effective for the November 8, 2016, Election. Voter registration cards are available in Town Hall. More information is available on the Collin County and Denton County websites.

Early voting for the November 8 election begins on Monday, October 24. Collin County voters may vote in Prosper Municipal Chambers during Early Voting, and at the PISD Administration Building on Election Day. Denton County voters may vote at any Denton County polling location. More information is available on the Town website, or by contacting the Collin County and Denton County Election Offices.

Residents are invited to join the fun at Prosper's Homecoming Parade, to be held on Wednesday, October 12, starting at 5:30 p.m. Come see a variety of floats representing Prosper's community and school groups at one of the Town's biggest Fall events.

The Library will offer genealogy classes at 6:30 p.m. on October 13, November 10, December 8, and January 12. The classes will offer information on research techniques, and developing a family tree outline. Classes are free to the public, and trained researchers will be available for assistance following each class.

Fire Station 2 is now responding to emergency calls. A ribbon cutting ceremony to celebrate the opening of the station will be scheduled sometime in mid-November.

4. Presentations.

- **Presentation of Certificates of Appreciation to former members of the Town's Boards and Commissions. (RB)**

Bob Wierschem was present to receive a Certificate of Appreciation for his service on the Board of Adjustment/Construction Board of Appeals.

- **Presentation of a Proclamation to members of the Prosper Fire Department declaring October 9-15, 2016, as *Fire Prevention Week*. (RB)**

Fire Chief Ronnie Tucker, Assistant Fire Chief Stuart Blasingame, and Fire Marshal Bryan Ausenbaugh received the Proclamation on behalf of the Fire Department.

- **Presentation of the *GFOA Achievement of Excellence in Financial Reporting* award to members of the Town of Prosper Finance Department. (KN)**

Finance Director Kelly Neal and Accounting Manager Betty Pamplin received the award on behalf of the Finance Department.

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 – September 27, 2016**

- 5b. Receive the August 2016 Financial Report. (KN)**

- 5d. Consider and act upon approving the purchase of two pick-up trucks for the Fire Department, from Sam Pack's Five Star Ford, through the State of Texas Cooperative Purchasing Program. (SB)**

- 5e. Consider and act upon authorizing the Town Manager to execute Amendment Ten to the Interlocal Agreement between Collin County and the Town of Prosper, extending the agreement through FY 2016-2017, relating to Animal Sheltering Services. (JW)**

- 5f. Consider and act upon authorizing the Town Manager to execute Amendment Ten to the Interlocal Agreement between Collin County and the Town of Prosper, extending the agreement through FY 2016-2017, relating to Animal Control Services. (JW)
- 5g. Consider and act upon authorizing the Town Manager to execute an Interlocal Agreement for Geographic Information System (GIS) Services between the Town of Prosper and the City of Frisco. (JW)
- 5h. 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 Davis removed Item 5c from the Consent Agenda.

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

- 5c. Consider and act upon approving the purchase of an accident reconstruction laser system and related equipment for the Police Department from FARO Technologies Inc., a sole source provider. (DK)

Police Chief Kowalski presented this item before the Town Council. He introduced Clay Lawson from FARO Technologies, who responded to questions from the Council regarding the capabilities of the equipment, the savings in staff time, training requirements for staff, and annual maintenance costs.

After discussion, Councilmember Davis made a motion and Councilmember Miller seconded the motion to approve Item 5c. 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.

Patty Felan, 1720 Gentle Way, Prosper, spoke to encourage the Council to participate in this year's Clothe A Child event, which will take place October 15, October 22, and October 29.

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 variance to Section 1.09 of the Sign Ordinance for an alternative detached sign, located at 101 E. Broadway Street, on the northeast corner of Broadway Street and Coleman Street. (V16-0003). (JW)**

Development Services Director John Webb presented this item before the Town Council. Businesses that seek to install a detached advertising sign are required to follow the regulations for a monument sign. The applicant is seeking a variance regarding the requirements for Monument Signs to permit an alternative detached sign that is more compatible with the existing historic structure that will serve as the location for the business.

Mayor Smith opened the Public Hearing.

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

Lynn Gross, the business owner and applicant, responded to questions from the Town Council regarding the material for the sign. Ms. Gross responded that the sign designer preferred plastic due to its durability, but she will inquire about other materials that have a look similar to wood, but still have the same durability.

After discussion, Deputy Mayor Pro-Tem Dixon made a motion and Councilmember Dugger seconded the motion to approve a request for a variance to Section 1.09 of the Sign Ordinance for an alternative detached sign, located at 101 E. Broadway Street, on the northeast corner of Broadway Street and Coleman Street. (V16-0003).

8. **Conduct a Public Hearing and consider and act upon a request to rezone 1.7± acres from Office (O) and Retail (R) to Planned Development-Retail (PD-R), located on the west side of Hays Road, 2,600± feet north of First Street. (Z16-0020). (JW)**

Development Services Director John Webb presented this item before the Town Council. The Zoning Ordinance permits a Child Day Care in all zoning districts except Industrial upon approval of a Specific Use Permit (SUP) by Town Council. A development under a SUP is required to meet all standards of the Town's Zoning Ordinance. The applicant is requesting to deviate from the Zoning Ordinance's outdoor play space requirement, as outlined below; therefore, approval of a Planned Development (PD) is required to deviate from the minimum development standards. The proposed PD would allow for development of a specific day care building, which will be a 1-story building, totaling 11,120 square feet and will be constructed in a single phase. The facility will accommodate 216 children.

Mayor Smith opened the Public Hearing.

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

The Town Council had additional questions about the fence design and the directional layout of the building on the site. Since the applicant was not present to respond to the Council's questions, Mr. Webb recommended the item be tabled to give staff time to gather additional information.

Deputy Mayor Pro-Tem Dixon made a motion and Councilmember Dugger seconded the motion to table Item 8 to the October 25, 2016, Town Council meeting. The motion was approved by a vote of 6-1, with Councilmember Davis casting the opposing vote.

DEPARTMENT ITEMS:

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

Hulon Webb, Executive Director of Development and Community Services, presented this item before the Town Council. The Town Hall Design Team has finalized its recommendations for the wood trim color, lobby flooring. The exterior renderings of the building have been updated with a more accurate depiction of the brick color that has been chosen. The Council agreed to a Special Meeting on November 29 to approve the Guaranteed Maximum Price for the project.

Town Secretary/PIO Robyn Battle presented options to the Council for a proposed Town Seal. The Council approved Proof #5 by consensus. A resolution will be brought forward at the October 25, 2016, Town Council meeting for the Town Council to consider adopting an official Town Seal.

10. 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:

10a. Section 551.087 – To discuss and consider economic development incentives.

10b. 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 7:12 p.m.

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

The Town Council reconvened the Regular Session at 7:30 p.m. No action was taken as a result of Executive Session.

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

• Daycare Proximity Map. (JW)

Development Services Director John Webb presented maps depicting the location of daycare facilities that could be affected by the Town's recently-adopted alcohol variance process. Town staff recommended the Council consider changing the zoning ordinance to change the requirement that daycares be categorized at schools.

• Holiday Meeting Schedule. (RB)

Town Secretary/PIO Robyn Battle presented the holiday meeting schedule to the Town Council. In the past, the Town Council has canceled the second meeting in November and December due to the Thanksgiving and Christmas holidays. The Council agreed to cancel both meetings.

- **Old Town Assessment.**

John Webb informed the Council that he would inquire about setting up meetings in the next few weeks to get Council feedback on the Old Town Assessment that Town staff is conducting.

13. Adjourn.

The meeting was adjourned at 7:52 p.m. on Tuesday, October 11, 2016.

These minutes approved on the 25th day of October, 2016.

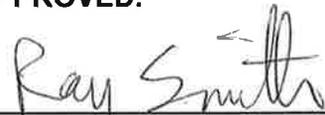


ATTEST:



Robyn Battle, Town Secretary

APPROVED:



Ray Smith, Mayor