



*Prosper is a place where everyone matters.*

**MINUTES**  
**Meeting of the Prosper Town Council**  
Prosper Town Hall  
Council Chambers  
200 S. Main Street  
Prosper, TX 75078  
Tuesday, February 26, 2019

**AGENDA BRIEFING**

**1. Call to Order/Roll Call.**

The meeting was called to order at 5:49 p.m.

**Council Members Present:**

Mayor Ray Smith  
Mayor Pro-Tem Curry Vogelsang, Jr.  
Deputy Mayor Pro-Tem Jason Dixon  
Councilmember Mike Korbuly  
Councilmember Craig Andres  
Councilmember Meigs Miller  
Councilmember Jeff Hodges

**Staff Members Present:**

Harlan Jefferson, Town Manager  
Terry Welch, Town Attorney  
Robyn Battle, Town Secretary/PIO  
Hulon Webb, Engineering Services Director  
John Webb, Development Services Director  
Pete Anaya, Deputy Director of Engineering Services  
Chuck Springer, Executive Director of Administrative Services  
Dudley Raymond, Parks and Recreation Director  
Leslie Scott, Director of Library Services  
Kelly Neal, Finance Director  
Doug Kowalski, Police Chief  
Stuart Blasingame, Fire Chief

**2. Questions about items listed on the Regular Meeting Agenda.**

Regarding Item 7, the Council discussed the warranty information for the dispatch equipment. To reinstate the service agreement, the Town must make retroactive payments from prior years since the date of the warranty's expiration. All other service agreements for the Town's software programs are current. Regarding the railroad monitoring cameras, Town Manager Harlan Jefferson explained that the cameras are designed for outdoor use. Town staff will investigate whether the cameras are designed to record footage, or if they are for live feeds only.

**3. Discussion Items:**

- **Downtown Festival Update (DR)**

Dudley Raymond, Parks and Recreation Director, updated the Council on plans for a festival in Downtown on May 24, 2019. The Town has engaged a professional event promotor to assist with planning the event. Mr. Raymond reviewed a preliminary site plan for the event, as well as options for entertainment, and food and beverage sales. The Council discussed options for the location of the stage, and the boundaries for alcohol sales in downtown. Town staff will continue to refine plans for the event to ensure there is adequate space, crowd control measures, and food and beverage service for the expected number of attendees.

- **Mobile Food Truck Park Policy (DR)**

This item was discussed after the Executive Session

The Agenda Briefing adjourned at 6:18 p.m.

**THE REGULAR TOWN COUNCIL MEETING CONVENES IN COUNCIL CHAMBERS IMMEDIATELY FOLLOWING THE AGENDA BRIEFING, AT APPROXIMATELY 6:15 P.M.**

**1. Call to Order/Roll Call.**

The meeting was called to order at 6:25 p.m.

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

Pastor John Herring of First Baptist Prosper led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

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

Craig Andres read the following announcements:

The Town invites residents and local businesses to participate in a survey related to high-speed internet service with in the Town. The results of the survey will be used to develop a Town-wide strategy to improve internet service. The survey link is available on the Town website and Facebook page, and will be distributed in the Resident Update. Paper copies are available at the reception desk at Town Hall.

Mayor Ray Smith is asking residents to join him in the Prosper 100 Mile Challenge to promote community health and wellness. Registration and tracking sheets are available on the Town website or at Town Hall. Residents are challenged to walk, run, or bike 100 miles between February 15 and June 1. All ages are eligible to participate, and residents who complete the Challenge will be recognized at a Town Council meeting.

The Overpass at US Highway 380 and Preston Road is expected to open tomorrow. To celebrate this milestone in our community, the Town will hold a Grand Opening Ceremony during the March 12 Town Council meeting. Representatives from TxDOT, the City of

Frisco, the Collin County Commissioner's Court, and our state legislators have been invited to attend.

The Annual Spring Cleanup will take place on Saturday, March 30, from 8:00 a.m.-noon along Craig Road near Rucker Elementary. Residents may dispose of bulk trash items, electronics, household hazardous waste, yard debris, cardboard, and tires. Document shredding will also be available on site. For details on acceptable items, please visit the town website.

**4. Presentations:**

- **Presentation of the Government Finance Officer Association (GFOA) Award for Outstanding Achievement in Popular Annual Financial Reporting. (KN)**

Mayor Smith presented the award to Finance Director Kelly Neal and Communication Specialist Karolyn Short.

**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 – February 12, 2019**

**5b. Consider and act upon Resolution No. 19-11 designating *The Prosper Press* as the official newspaper of the Town of Prosper, and *The Dallas Morning News* as an alternative advertising source, for Fiscal Year 2018-2019. (RB)**

**5c. Receive the November Financial Report. (KN)**

**5d. 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 Korbuly made a motion and Councilmember Hodges 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.**

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.

## **ITEMS FOR INDIVIDUAL CONSIDERATION:**

**7. Consider and act upon amending Ordinance No. 18-71 (FY 2018-2019 Budget). (KN)**

Finance Director Kelly Neal presented this item before the Town Council. The proposed budget amendment will provide funding for the Town's Railroad Monitoring Project, the Computer Aided Dispatch (CAD) service agreement, design services for the Downtown Monument Signage project, the Downtown Festival in May 2019, and two full-time positions related to the reorganization of the Engineering Department.

Mayor Smith recognized Ken and JoAnna Weaver, who did not wish to speak, but expressed their support for the item, especially as it relates to the railroad monitoring project.

After discussion, Councilmember Korbuly made a motion and Councilmember Hodges seconded the motion to approve Ordinance No. 19-12 amending Ordinance No. 18-71 (FY 2018-2019 Budget) to provide funding for increased expenditures in the General Fund. The motion was approved by a vote of 7-0.

**8. Consider and act upon approving a Service Agreement with US Digital Designs for the reinstatement and purchase of hardware, firmware, and software for dispatch and the fire station alerting system. (SB)**

Fire Chief Stuart Blasingame presented this item before the Town Council. The service warranty for the Fire Department's station-alerting vendor, US Digital Designs, is not current. In order to update the firmware/software, the Town needs to reinstate the service agreement for prior-year updates as well as fund the current service term. The reinstatement fee and the annual fee are payable retroactive to the date the warranties expired and are required to keep USDD in compliance with several contracts with other public safety agencies requiring equality in pricing.

After discussion, Councilmember Miller made a motion and Councilmember Andres seconded the motion to approve the Service Agreement with US Digital Designs for the reinstatement and purchase of hardware, firmware, and software for dispatch and the fire station alerting system. The motion was approved by a vote of 7-0.

**9. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Promoter Line, Inc., and the Town of Prosper, Texas, related to the Downtown Celebration. (DR)**

Parks and Recreation Director Dudley Raymond presented this item before the Town Council. The proposed Professional Services Agreement will secure the services of Promoter Line to assist in the event planning, coordination, and management of the

downtown celebration scheduled for May 24, 2019. Promoter Line was chosen because of their previous experience with similar events.

After discussion, Deputy Mayor Pro-Tem Dixon made a motion and Councilmember Andres seconded the motion to authorize the Town Manager to execute a Professional Services Agreement between Promoter Line, Inc., and the Town of Prosper, Texas, related to the Downtown Celebration. The motion was approved by a vote of 7-0.

**10. Consider and act upon an ordinance adopting Section 5.00, "Paving and Subgrade Design Requirements" of the Town's Engineering Design Manual. (DH)**

Senior Engineer Dan Heischman presented this item before the Town Council. The adoption of the Pavement and Subgrade Design Requirements increases the standards on new residential streets and thoroughfares by providing minimum parameters for Geotechnical Consultants to provide pavement and subgrade design recommendations for a given roadway project. It also addresses the different needs for the Town's two geological formations, Eagle Ford and Austin Chalk. Throughout the process of developing the proposed standards, Town staff coordinated with the Prosper Developers Council (PDC) to determine a reasonable and practical set of guidelines and criteria.

David Blom with The Tellus Group, the developer of Windsong Ranch, spoke on behalf of the Prosper Developers Council in support of the item, noting that the proposed ordinance will raise the paving standards without significantly raising the cost to developers.

After discussion, Councilmember Korbuly made a motion and Councilmember Miller seconded the motion to approve Ordinance No. 19-13 adopting Section 5.00, "Pavement and Subgrade Design Requirements" of the Town's Engineering Design Manual. The motion was approved by a vote of 7-0.

**11. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Kimley-Horn and Associates, Inc., and the Town of Prosper, Texas, related to the Town Hall Open Space Enhancement Phase 2 project. (DR)**

Parks and Recreation Director Dudley Raymond presented this item before the Town Council. Prior to the opening of the Town Hall Facility, the Town Hall Open Space Enhancements Phase 1 project was completed. It consisted of removing the existing structures and undesirable landscaping immediately south of the Town Hall and installing sod and irrigation to create a nice open space. The scope of work for Phase 2 of the project includes three meetings with Town staff to discuss background information, scenario development and final conclusions. The Town Council will be briefed twice at key points during the project. Kimley-Horn will develop three different scenarios for the site. Based on the preferred scenario, Kimley-Horn will prepare a high-level Master Plan and cost estimate, as well as recommendations for the role of open space within the Downtown Area.

After discussion, Deputy Mayor Pro-Tem Dixon made a motion and Councilmember Miller seconded the motion to authorize the Town Manager to execute a Professional Services Agreement between Kimley-Horn and Associates, Inc., and the Town of Prosper, Texas, related to the Town Hall Open Space Enhancement Phase 2 project. The motion was approved by a vote of 7-0.

**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.**

**12c. Section 551.074 – To discuss and review the Town Manager’s performance evaluation.**

The Town Council recessed into Executive Session at 7:28 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 10:08 p.m.

Deputy Mayor Pro-Tem Dixon made a motion and Councilmember Korbuly seconded the motion to authorize the Mayor to execute an agreement for Town Manager services pursuant to the terms discussed in Executive Session. The motion was approved by a vote of 7-0.

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

Parks and Recreation Director Dudley Raymond briefed the Council on a proposed policy to regulate food trucks within Town parks. He recommended the Town’s sports leagues enter into agreements with food truck vendors, and submit their preferred vendors to the Parks and Recreation Director for approval. The sports leagues will continue to operate the concession stands.

**15. Adjourn.**

The meeting was adjourned at 10:13 p.m., on Tuesday, February 26, 2019.

These minutes approved on the 12th day of March 2019.



**APPROVED:**

*Ray Smith*  
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Ray Smith, Mayor

**ATTEST:**

*Robyn Battle*  
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Robyn Battle, Town Secretary