



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, January 14, 2014
6:00 p.m.

1. Call to Order/Roll Call.
2. Invocation, Pledge of Allegiance and Pledge to the Texas Flag.
3. Announcements of upcoming events.
4. Presentations.
 - Recognition of the Prosper Christmas Festival Committee and volunteers. **(HW)**

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 – December 10, 2013
- Special Called Meeting – December 16, 2013

5b. Receive the October 2013 financial report. **(KA)**

5c. Consider and act upon an ordinance rezoning 76.1± acres, located on the east side of Legacy Drive, 1,400± feet north of Prosper Trail, from Agricultural (A) to Planned Development-Single Family-15 (PD-SF-15). (Z13-0016). **(CC)**

5d. Consider and act upon an ordinance granting a Specific Use Permit (SUP) for a concrete batching plant, on 5.0± acres, located on the west side of Dallas Parkway, 900± feet south of First Street. The property is zoned Planned Development-19-Commercial Corridor. (PD-19-CC). (S13-0001). **(CC)**

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. **(CC)**

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.)

Other Comments by the Public -

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:

7. Consider and act upon authorizing the Town Manager to execute a sales tax consultant services agreement with MuniServices, LLC. **(KA)**
8. Consider and act upon an ordinance amending the FY 2013-2014 budget to establish a part-time Municipal Court Clerk position and a full-time Library Director position. **(KA)**
9. Consider and act upon awarding Bid No. 2014-17-B to Superscapes, Inc., related to the construction services for the First Street and Coit Road Landscape Improvements; and authorizing the Town Manager to execute same. **(PN)**
10. Consider and act upon an amendment to the Capital Improvement Project (CIP) plan for the design and construction of the Southwest Corner of Frontier Park Practice Field and construction of the First Street and Coit Road Landscaping Improvement Project. **(HW)**
11. Consider and act upon authorizing the Town Manager to execute an agreement between Dunaway Associates, LP and the Town of Prosper, Texas, related to the update of the Parks, Recreation and Open Space Master Plan. **(PN)**
12. Consider and act upon appointing members to the Parks, Recreation and Open Space Master Plan Advisory Committee. **(PN)**
13. Consider and act upon a resolution making a determination related to the creation of a Neighborhood Empowerment Zone, creating Neighborhood Empowerment Zone No. 2, and setting forth incentives authorized to be used by the Town. **(CC)**
14. Discussion on the design of Fire Station No. 2. **(RT)**

15. **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:

15a. Section 551.087. To discuss and consider economic development incentives.

15b. 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.

15c. Section 551.071. Consultation with Town Attorney regarding legal issues associated with proposed extraterritorial jurisdiction release, and all matters incident and related thereto.

15d. Section 551.074. To discuss and review the Town Manager's performance evaluation.

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

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

- Missing Sidewalk Program. **(FJ)**
- Naming of future thoroughfares. **(CC)**

18. Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at the Town Hall of Prosper, Texas, 121 W. Broadway Street, Prosper, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time:

On January 10, at 5:00 p.m. and remained so posted at least 72 hours before said meeting was convened.

Robyn Battle, Town Secretary

Date Noticed Removed

If during the course of the meeting covered by this Notice, the Town Council should determine that a closed or executive meeting or session of the Town Council or a consultation with the attorney/special counsel for the Town should be held or is required, then such closed or executive meeting or session or consultation with the attorney/special counsel as authorized by the Texas Open Meetings Act, Texas Government Code, §551.001, et seq., will be held by the Town Council at the date, hour and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Town Council may conveniently meet in such closed or executive meeting or session or consult with the attorney/special counsel for the Town concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sections and purposes:

Texas Government Code:

§551.071 - Consultation with the attorney/special counsel for the Town.

§551.072 - Discussion regarding the purchase, exchange, lease or value of real property.

§551.074 - Discussion regarding personnel matters.

NOTICE

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper Staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Town Council.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Town Council Meetings are wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as Interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the Town Secretary's Office at (972) 569-1011. BRAILLE IS NOT AVAILABLE.