



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, May 23, 2017
6:00 p.m.

1. Call to Order/Roll Call.
2. Invocation, Pledge of Allegiance and Pledge to the Texas Flag.
3. Presentations/Proclamations
 - Administer Oaths of Office and Present Certificates of Election to Curry Vogelsang, Jr., Place 3, and Jeff Hodges, Place 5, of the Prosper Town Council. **(RB)**
 - Presentation of Certificates of Appreciation to members of the 2016 Charter Review Commission. **(RB)**

4. Announcements of recent and upcoming events.

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 – May 9, 2017
 - Special Meeting to Canvass Election – May 15, 2017
- 5b. Consider and act upon an ordinance approving negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corporation regarding the Company's 2017 rates set by the settlement and terminating the RRM process for pending renegotiation of RRM terms and conditions. **(KN)**
- 5c. Consider and act upon an ordinance amending Planned Development-66 (PD-66), on 902.6± acres, in order to modify the residential architectural requirements, generally located south of Prosper Trail, north of First Street, west of Dallas Parkway and east of Legacy Drive. (Z17-0003). **(JW)**
- 5d. Consider and act upon an ordinance amending Article 10.03, "Subdivision Ordinance," of Chapter 10, "Subdivision Regulations," of the Code of Ordinances by enacting a new Subdivision Ordinance. **(JW)**
- 5e. Consider and act upon approval of the Memorandum of Understanding between the City of Irving and the Town of Prosper relative to the construction of improvements and/or use of an existing City of Irving 75-foot water line easement generally located adjacent to and north of US 380 in the Town of Prosper. **(PN)**

- 5f. 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)**

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.

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 HEARING:

7. Presentation of service plan and first Public Hearing to consider the voluntary annexation of 5.7± acres located on the west side of Custer Road, 1,300± feet south of Frontier Parkway. (A17-0001). **(JW)**

DEPARTMENT ITEM:

8. Consider and act upon authorizing the Town Manager to execute a Development Agreement between CADG Prosper 28, LLC, and the Town of Prosper, Texas, related to the park fees for The Montclair development. **(HW)**

9. **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:

- 9a. *Section 551.087 – To discuss and consider economic development incentives.*
- 9b. *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.*
- 9c. *Section 551.071 – Consultation with the Town Attorney regarding legal issues associated with annexation and ETJ release agreements in Town ETJ areas, development issues associated with areas subject to annexation agreements and ETJ releases, and all matters incident and related thereto.*
- 9d. *Section 551.071 – Consultation with the Town Attorney regarding the Zoning Ordinance.*

- 9e.** *Section 551.074 – To discuss and consider election of Mayor Pro-Tem and Deputy Mayor Pro-Tem.*
- 10.** Reconvene in Regular Session and take any action necessary as a result of the Closed Session.
- 11.** Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.
- Mobile App Update **(LJ)**
 - Discussion of City-County Plat Approval Agreement **(HJ)**
 - Discussion of Collin County Bond Election Resolution **(HJ)**
 - Discussion of Property Tax on Leased Vehicles **(KN)**
 - Discussion on Sign Regulations for Big Box Retail **(JW)**
- 12.** Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 121 W. Broadway Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on May 19, 2017, and remained so posted at least 72 hours before said meeting was convened.

Carol Myers, Deputy Town Secretary

Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

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. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1011 at least 48 hours prior to the meeting time.