



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
May 22, 2018
6:00 p.m.

1. Call to Order/Roll Call.
2. Invocation, Pledge of Allegiance and Pledge to the Texas Flag.
3. Announcements of recent and upcoming events.
4. Presentations.
 - Present Certificate of Election to Jason Dixon, Town Council Place 6. **(RB)**
 - Present Certificates of Appreciation to members of the Temporary Board of the Town of Prosper Crime Control and Prevention District, and Fire Control, Prevention, and Emergency Medical Services District. **(RB)**
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 8, 2018
 - Special Called Meeting – May 14, 2018
 - 5b. Receive the March Financial Report. **(KN)**
 - 5c. Receive the Quarterly Investment Report. **(KN)**
 - 5d. Consider and act upon authorizing the Town Manager to execute a Bank Depository Service Agreement between Independent Bank and the Town of Prosper for the Town's bank depository services. **(KN)**
 - 5e. Consider and act upon awarding CSP No. 2018-45-A to Mercury Communications, Inc., for the purchase of a unified telephone communications system; and authorizing the Town Manager to execute a Contract for the Sale of Communication Equipment for the same. **(LJ)**
 - 5f. Consider and act upon authorizing the Construction Manager at Risk (CMAR) procurement method for the construction of the Town of Prosper Public Safety Complex, Phase 1 (Police Station and Dispatch) facility. **(HW)**

- 5g. 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 HEARINGS:

7. Conduct a Public Hearing, and consider and act upon an ordinance amending Specific Use Permit-19 (S-19) for a Child Day Care Center (Alpha Montessori), on 2.4± acres, located on Legacy Drive, 500± feet north of Prairie Drive. The property is zoned Planned Development-65-Single Family (PD-65) and Specific Use Permit (S-19). (S18-0002). **(AG)**
8. Conduct a Public Hearing, and consider and act upon an ordinance for a Specific Use Permit (SUP) for a Restaurant with Drive-Through in Westfork Crossing (Lot 3), on 1.0± acre, located on the north side of US 380, 700± feet west of Gee Road. The property is zoned Commercial (C). (S18-0003). **(AG)**
9. Conduct a Public Hearing, and consider and act upon an ordinance for a Specific Use Permit (SUP) for a Restaurant with Drive-Through in Westfork Crossing (Lot 5), on 2.2± acres, located on the north side of US 380, 1,000± feet west of Gee Road. The property is zoned Commercial (C). (S18-0004). **(AG)**
10. Conduct a Public Hearing, and consider and act upon an ordinance for a Specific Use Permit (SUP) for a Restaurant with Drive-Through, in Windsong Ranch Marketplace (Panera Bread), on 1.2± acres, located on the north side of US 380, 500± feet west of Windsong Parkway. The property is zoned Planned Development-40 (PD-40). (S18-0005). **(AG)**
11. Conduct a Public Hearing, and consider and act upon an ordinance amending Chapter 3, Section 1 "Use of Land and Buildings," and Section 2 "Definitions," of the Zoning Ordinance, regarding Home Occupation, Child Care Centers, Household Care Facilities, and Community Homes. (Z17-0015). **(AG)**
12. Conduct a Public Hearing, and consider and act upon a request to amend the Old Town Inset Map of the Future Land Use Plan from Old Town Core – Single Family to Old Town Core – Retail, located on the east side of Coleman Street, between Fifth Street and north of Seventh Street. (CA18-0001). [*Companion Cases Z18-0002 and MD18-0003*] **(AG)**

13. Conduct a Public Hearing, and consider and act upon a request to rezone 0.7± acre from Single Family-15 (SF-15) to Downtown Retail (DTR), located on the southeast corner of Seventh Street and Coleman Street. (Z18-0002). [*Companion Cases CA18-0001 and MD18-0003*] **(AG)**

DEPARTMENT ITEMS:

14. Consider and act upon a request for a Façade Exception for Cornerstone, located on the southeast corner of Seventh Street and Coleman Street. (MD18-0003). [*Companion Cases CA18-0001 and Z18-0002*] **(AG)**

15. Consider and act upon amending Ordinance No. 17-65 (FY 2017-2018 Budget). **(KN)**

16. Discussion on West Prosper Park Land Study. **(DR)**

17. **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:

17a. Section 551.087 – To discuss and consider economic development incentives.

17b. 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.

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

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

- Park Sponsorship Policy **(DR)**
- Town Hall Contingency **(HW)**

20. 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 5:30 p.m., on Friday, May 18, 2018, and remained so posted at least 72 hours before said meeting was convened.

Robyn Battle, 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.