



Prosper is a place where everyone matters.

AGENDA

Agenda Briefing and Regular Meeting of the Prosper Town Council

Prosper Town Hall
200 S. Main Street, Prosper, Texas
Tuesday, December 11, 2018

5:45 p.m.

AGENDA BRIEFING – EXECUTIVE CONFERENCE ROOM

1. Call to Order/Roll Call.
2. Questions about items listed on the Regular Meeting Agenda.
3. Discussion Items:
 - Modular Building Lease **(JC/SB)**
 - Discussion on Park Development Agreements **(DR)**

REGULAR MEETING CONVENES IN COUNCIL CHAMBERS IMMEDIATELY FOLLOWING AGENDA BRIEFING

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:**

Presentation of Certificates of Appreciation to members of the Prosper Fire Department who were deployed to California. **(SB)**

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 – November 27, 2018

- 5b. Consider and act upon authorizing the Town Manager to execute a Tower Site Lease Agreement by and between the Town of Prosper, Texas, and T-Mobile West LLC, a Delaware LLC, for the lease of Town property, located at Prosper Trail Elevated Storage Tank (EST), for telecommunications equipment and facilities. **(KN)**

- 5c.** Consider and act upon approving an ordinance repealing Division 2, “Marshal,” of Article 9.02, “Law Enforcement,” of Chapter 9, “Personnel,” of the Town’s Code of Ordinances. **(KN)**
- 5d.** Consider and act upon an ordinance repealing Article 3.04, “Building Code,” of the Code of Ordinances of the Town of Prosper and replacing it with a new article 3.04, “Building Code”; adopting the 2015 edition of the International Building Code, save and except the deletions and amendments set forth herein; regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to buildings or structures within the Town of Prosper, Texas. **(JW)**
- 5e.** Consider and act upon an ordinance repealing Article 3.05, “Residential Building Code,” of the Code of Ordinances of the Town of Prosper and replacing it with a new article 3.05, “Residential Building Code”; adopting the 2015 edition of the International Residential Code, save and except the deletions and amendments set forth herein; regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories in height with a separate means of egress and related accessory structures in the Town of Prosper, Texas. **(JW)**
- 5f.** Consider and act upon an ordinance repealing Article 3.06, “Electricity,” of the Code of Ordinances of the Town of Prosper and replacing it with a new Article 3.06, “Electricity”; adopting the 2017 edition of the National Electrical Code, save and except the deletions and amendments set forth herein; regulating the construction, alteration, removal, use, and maintenance of any electrical wiring, apparatus, device, and/or systems within the Town of Prosper, Texas. **(JW)**
- 5g.** Consider and act upon an ordinance of the Town of Prosper, Texas, repealing Article 3.07, “Plumbing,” of the Code of Ordinances of the Town of Prosper and replacing it with a new Article 3.07, “Plumbing”; adopting the 2015 edition of the International Plumbing Code, save and except the deletions and amendments set forth herein; regulating the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within the Town of Prosper, Texas. **(JW)**
- 5h.** Consider and act upon an ordinance repealing Article 3.08, “Energy Conservation,” of the Code of Ordinances of the Town of Prosper and replacing it with a new Article 3.08, “Energy Conservation”; adopting the 2015 edition of the International Energy Conservation Code, save and except the deletions and amendments set forth herein; regulating the design of building envelopes for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, service water-heating, and illumination systems and equipment which will enable effective use of energy in new building construction within the Town of Prosper, Texas. **(JW)**

- 5i. Consider and act upon an ordinance repealing Article 3.09, "Mechanical Code," of the Code of Ordinances of the Town of Prosper and replacing it with a new Article 3.09, "Mechanical Code"; adopting the 2015 edition of the International Mechanical Code, save and except the deletions and amendments set forth herein; regulating the design, installation, maintenance, addition, alteration, and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings located in the Town of Prosper, Texas. **(JW)**
- 5j. Consider and act upon an ordinance repealing Article 3.10, "Fuel Gas Code" of the Code of Ordinances of the Town of Prosper and replacing it with a new Article 3.10, "Fuel Gas Code"; adopting the 2015 edition of the International Fuel Gas Code, save and except the deletions and amendments set forth herein; regulating the design, installation, maintenance, addition, alteration, and inspection of fuel gas piping systems, fuel gas utilization equipment, and related accessories within the Town of Prosper, Texas. **(JW)**
- 5k. Consider and act upon an ordinance establishing a new Article 3.20, "Existing Building Code," of the Code of Ordinances of the Town of Prosper by adopting the 2015 edition of the International Existing Building Code, save and except the deletions and amendments set forth herein; regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every existing building or structure or any appurtenances connected or attached to existing buildings or structures within the Town of Prosper, Texas. **(JW)**
- 5l. Consider and act upon an ordinance to rezone a portion of Planned Development-65-Single Family (PD-65-SF) and a portion of Planned Development-65-Commercial (PD-65-C) to Planned Development-92-Commercial (PD-92-C), to allow for development of new automobile sales and leasing dealerships (El Dorado Motors), on 17.8± acres, located on the north side of US 380, west of Mahard Parkway. (Z18-0011). **(AG)**
- 5m. Consider and act upon an ordinance rezoning 48.1± acres of Agriculture (A), and 16.4± acres of Single Family-15 (SF-15), to Planned Development-94-Mixed Use (PD-94-MU), in order to facilitate a mixed-use development (WestSide), located on the northeast corner of FM 1385 and US 380. (Z18-0012). **(AG)**
- 5n. Consider and act upon an ordinance for "Multifamily Registration and Inspections," of Article 3.11, "Property Maintenance Code," of Chapter 3, "Building Regulations," of the Town's Code of Ordinances. **(JW)**
- 5o. Consider and act upon an ordinance amending Appendix A, "Fee Schedule," by adding a new Section XXI, "Multifamily Registration and Inspection Fees." **(JW)**
- 5p. Consider and act upon authorizing the Competitive Sealed Proposal (CSP) procurement method for construction of the State Highway 289 Gateway Monument project. **(PN)**

5q. Consider and act on an ordinance amending Section 8.05.001, "Definitions," of Article 8.05 "Junked Vehicles," of Chapter 8, "Offenses and Nuisances," of the Town's Code of Ordinances. **(JW)**

5r. 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.

ITEMS FOR INDIVIDUAL CONSIDERATION:

7. Conduct a Public Hearing, and consider and act upon a request to rezone a portion of Planned Development-17 (PD-17) to Planned Development-Office/Retail (PD-O/R) and to rezone Single Family-15 (SF-15) to Planned Development-Office (PD-O), on 15.2± acres, located on the southwest corner of Broadway Street and Preston Road. **(Z18-0007). (AG)**
8. Discussion on Draft Downtown Architectural Standards. **(JW)**
9. Library Services Update. **(LS)**
10. Consider and act upon amending Ordinance No. 17-65 (FY 2017-2018 Budget). **(KN)**
11. Consider and act upon amending Ordinance No. 18-71 (FY 2018-2019 Budget) and Capital Improvement Plan. **(KN)**
12. Consider and act upon awarding Bid No. 2019-04-B, to Landmark Structures I, L.P., related to construction services for the Fishtrap 2.5 Million Gallon (MG) Elevated Storage Tank project; and authorizing the Town Manager to execute a construction agreement for same. **(PA)**
13. Consider and act upon authorizing the Town Manager to execute a Professional Service Agreement between Halff Associates, Inc., and the Town of Prosper, Texas, related to the design of the Prosper Trail/DNT Intersection Improvements project. **(PA)**

14. 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:

14a. Section 551.087 – To discuss and consider economic development incentives.

14b. 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.

14c. Section 551.074 – To discuss and consider personnel matters and all matters incident and related thereto.

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

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

17. Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 200 S. Main Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 6:00 p.m., on Friday, December 7, 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.