



Agenda
Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, March 28, 2023
6:15 PM

Welcome to the Prosper Town Council Meeting.

Citizens may watch the meeting live by using the following link:
<https://prospertx.new.swagit.com/views/378/>

Addressing the Town Council:

Those wishing to address the Town Council must complete the Public Comment Request Form located on the Town's website or in the Council Chambers.

If you are attending in person, please submit this form to the Town Secretary or the person recording the minutes for the Board/Commission prior to the meeting. When called upon, please come to the podium, and state your name and address for the record.

If you are watching online, please submit this form to the Town Secretary prior to 4:00 p.m. on the day of the meeting in order for your comments to be read into the record. The Town assumes no responsibility for technical issues beyond our control.

In compliance with the Texas Open Meetings Act, the Town Council/Board/Commission may not deliberate or vote on any matter that does not appear on the agenda. The Council/Board/Commission, however, may provide statements of fact regarding the topic, request the topic be included as part of a future meeting, and/or refer the topic to Town staff for further assistance.

Citizens and other visitors attending Town Council meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the Town Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the Town Council or while attending the Town Council meeting shall be removed from the room, if so directed by the Mayor or presiding officer, and the person shall be barred from further audience before the Town Council during that session of the Town Council. Disruption of a public meeting could constitute a violation of Section 42.05 of the Texas Penal Code.

Call to Order/ Roll Call.

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

Announcements of recent and upcoming events.

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.

1. Consider and act upon the minutes from the March 14, 2023, Town Council Work Session meeting. (MLS)

2. Consider and act upon the minutes from the March 14, 2023, Town Council Regular meeting. (MLS)
3. Consider and act upon the minutes from the March 20, 2023, Town Council Work Session meeting. (MLS)
4. Consider and act upon a resolution awarding the depository services contract to Independent Financial and authorizing the Town Manager to execute all documents for same. (CL)
5. Consider and act upon approving funding for expenses of scheduled and unscheduled maintenance and repairs by Siddons-Martin Emergency Group, LLC to fire department apparatus including fire engines and aerial trucks. (SB)
6. Consider and act upon approving the purchase of water and wastewater materials from Ferguson Enterprises, LLC, utilizing BuyBoard contracts; and authorizing the Town Manager to execute documents for the same. (FJ)
7. Consider and act upon approving the purchase of one 2023 Chevrolet Silverado 2500HD for Facilities Management from Enterprise Fleet Management utilizing The Interlocal Purchasing System (TIPS); and authorizing the Town Manager to execute the same. (JC)
8. Consider and act upon approving the purchase of two 2023 Chevrolet Tahoe's and for the Police Department from Enterprise Fleet Management utilizing The Interlocal Purchasing System (TIPS); and authorizing the Town Manager to execute the same. (JC)
9. Consider and act upon approval of Change Order #3 related to construction services for the Hays Park Project (1802-PK) to Ratliff Hardscape, Ltd., and authorizing the Town Manager to execute the same. (DB)
10. Consider and act upon a resolution authorizing the Town Manager to execute an Advance Funding Agreement between the Texas Department of Transportation (TxDOT), and the Town of Prosper, Texas, related to the design and construction funding of the Preston Road (SH 289) and First Street Dual Left Turn Lanes project. (HW)
11. Consider and act upon approving a resolution supporting U.S. Highway 380 as a Controlled Access Highway within the corporate limits of the Town of Prosper, in accordance with recommendations by the Texas Department of Transportation in its December 2022 Draft Environmental Impact Statement for U.S. Highway 380 from Coit Road to FM 1827, and January 2023 Draft Environmental Assessment for U.S. Highway 380 from Teel Parkway to Lakewood Drive; acknowledging the preferred alignment of the future expansion of U.S. Highway 380 within the corporate limits of the Town is consistent with the Town's Thoroughfare Plan; requesting that the Texas Department of Transportation's final Environmental Impact Statement and Environmental Assessment reflect the alignment of U.S. Highway 380 within the corporate limits of the Town of Prosper as recommended; and authorize the Mayor to submit comments to the Texas Department of Transportation on the Draft Environmental Impact Statement and/or Draft Environmental Assessment. (HW)
12. Consider and act upon an ordinance establishing a no parking zone on Foxfield Court. (HW)

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 Comment Request Form" and present it to the Town Secretary prior to the meeting. Please limit your comments to three minutes. If multiple individuals wish to speak on a topic, they may yield their three minutes to one individual appointed to speak on their behalf. All individuals yielding their time must be present at the meeting, and the appointed individual will be limited to a total of 15 minutes.

REGULAR AGENDA:

If you wish to address the Council, please fill out a "Public Comment Request Form" and present it to the Town Secretary, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

Items for Individual Consideration:

13. Consider and act upon an ordinance adopting a Special Purpose Sign District for the Gates of Prosper, Phase 2 and Phase 3, on 52.1± acres, located on the northwest corner of US 380 and Preston Road. (MISC-23-0001) (BC)
14. Consider and act upon a resolution accepting the Independent Audit Report and Annual Comprehensive Financial Report for the Fiscal Year Ended September 30, 2022, as audited by Weaver and Tidwell LLP, Certified Public Accountants. (CL)

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

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:

Section 551.087 – To discuss and consider economic development incentives and all matters incident and related thereto.

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.

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

Section 551.071 - Consultation with the Town Attorney regarding pending and anticipated litigation regarding zoning and International Fire Code matters, and all matters incident and related thereto.

Section 551.074 - To discuss appointments to the Board of Adjustment/Construction Board of Appeals, Parks & Recreation Board, Library Board, Prosper Economic Development Corporation Board, Planning & Zoning Commission, and the Community Engagement Committee, and all matters incident and related thereto.

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

Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First 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 Friday, March 24, 2023, and remained so posted at least 72 hours before said meeting was convened.

Michelle Lewis Sirianni, 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.