



**Agenda**  
**Prosper Town Council Meeting**  
Prosper Town Hall, Council Chambers  
250 W. First Street, Prosper, Texas  
Tuesday, April 30, 2024  
**6:15 PM**

Welcome to the Prosper Town Council Meeting.

Citizens may watch the meeting live by using the following link: [www.prospertx.gov/livemeetings](http://www.prospertx.gov/livemeetings)

**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 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. 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.**

**Presentations.**

1. Proclamation recognizing May 2, 2024, as National Day of Prayer. (MLS)

**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.

2. Consider and act upon the minutes from the April 13, 2024, Town Council Work Session meeting. (MLS)

3. Consider and act upon the minutes from the April 16, 2024, Town Council Regular meeting. (MLS)
4. Consider acceptance of the March 2024 monthly financial report. (CL)
5. Receive the Quarterly Investment Report for March 31, 2024. (CL)
6. Consider and act upon a resolution authorizing the Town Manager, and/or his/her designee, to apply for the FY 2024 Motor Vehicle Crime Prevention Authority SB 224 Catalytic Converter Grants Second Solicitation Grant. (WR)
7. Consider and act upon approving an update to the Library Policies. (LS)
8. Consider and act upon authorizing the Town Manager to approve an agreement with URETEK USA for repairs to the northbound lanes of Dallas Parkway from US Highway 380 to First Street for \$603,000.00. (CE)
9. Consider and act upon authorizing the Town Manager to approve an agreement with Green World Care to provide mowing services for certain rights-of-way and public works facilities for \$19,044.00, with the option of four (4) one-year renewals. (CE)
10. Consider and act upon authorizing the Town Manager to approve a Proposal for Electrical Services between Trinity Lighting and Electrical Services and the Town of Prosper, Texas, to run electrical service to the Main Street tree wells for tree lighting for an amount not to exceed \$128,200.00. (DB)
11. Consider and act upon authorizing the Town Manager to execute Contract Amendment No. 2 to the Professional Engineering Services Agreement, between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the design of the Lower Pressure Plane (LPP) Pump Station and LPP Water Line Phase 2 project for \$277,950.00. (PA)
12. Consider and act upon approving Change Order No. 2 for CSP No. 2022-05-B, EDA Award No. 08-79-05522 to Archer Western Construction, related to construction services for the Lower Pressure Plane (LPP) Pump Station and Water Line Phase 2 project for \$93,758.99; and authorizing the Town Manager to execute Change Order No. 2 for same. (PA)
13. Consider and act upon authorizing the Town Manager to enter into an agreement with Mels Electric, LLC, related to relocating existing traffic signal conduits at DNT / First Street & Prosper Trail Intersections project for \$173,449.00; and authorizing the Town Manager to execute documents for same. (PA)
14. Consider and act upon a request for a Site Plan a Big Box, Gas Pumps, and a Car Wash on Frontier Retail Center, Block A, Lot 6, on 16.9± acres, located on the south side of Frontier Parkway and 250± feet east of Dallas Parkway. (DEVAPP-23-0182) (DH)
15. Consider and act upon a request for a Façade Plan for a Big Box, Gas Pumps, and a Car Wash on Frontier Retail Center, Block A, Lot 6, on 16.9± acres, located on the south side of Frontier Parkway and 250± feet east of Dallas Parkway. (DEVAPP-23-0180) (DH)
16. Consider and act upon a request for a Façade Plan for Multifamily Buildings and a Leasing Office on Gates of Prosper, Phase 2, Block D, Lot 3, on 16.0± acres, located on the northwest corner of Bravo Way and Richland Boulevard. (DEVAPP-23-0212) (DH)

17. Consider and act upon an ordinance to rezone 0.3± acres from Single Family-15 (SF-15) to Planned Development-127 (PD-127) on Prosper Central Addition, Block 1, Lot 1, located on the northeast corner of Coleman Street and Sixth Street. (ZONE-23-0029) (DH)
18. Consider and act upon whether to direct staff to submit a written notice of appeals 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 Preliminary Site Plans and Site Plans. (DH)

### **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:**

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. [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.]

### **Items for Individual Consideration:**

19. Consider and act upon authorizing the Town Manager to execute the First Amendment to the Roadway Construction Reimbursement Agreement between MSW Prosper 380 II, LP, and the Town of Prosper, Texas, related to the construction of roadways within the Town's Tax Increment Reinvestment Zone No. 2 (TIRZ No. 2). (HW)
20. Consider and act upon authorizing the Town Manager to execute a Proposal for Services with 720 Design for the preparation of a Library Master Plan for \$98,375.00. (LS)
21. Discuss and consider Town Council Subcommittee reports. (DFB)

### **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 the 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 551.074 - 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.*

*Section 551.071 - To consult with the Town Attorney regarding legal issues associated with Article 1.09 and Article 8.03 of the Town's Code of Ordinances, and Chapter 214 of the Texas Local Government Code, and all matters incident and related thereto.*

*Section 551.071 - Consultation with the Town Attorney regarding legal issues associated with an ordinance regarding solicitation to motor vehicle occupants, and motor vehicle weight limits, 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, April 26, 2024, and remained so posted at least 72 hours before said meeting was convened.

\_\_\_\_\_  
Michelle Lewis Sirianni, Town Secretary

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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.