



Agenda
Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, January 24, 2023
6:15 PM

Prosper is a place where everyone matters.

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.

Presentations.

1. Receive a presentation from the Salvation Army of North Texas regarding the 2022 Mayors Red Kettle Challenge. (MLS)
2. Presentation of a Proclamation declaring February 2023 as Congenital Heart Defect Awareness Month. (MLS)

3. Presentation of a Proclamation declaring the week of January 14 -29, 2023 as Health for Humanity Yogathon. (MLS)
4. Receive a presentation and discuss the *Prosper Passport* event proposal. (RB)

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.

5. Consider and act upon the minutes of the January 6, 2023, Town Council Special meeting. (MLS)
6. Consider and act upon the minutes of the January 7, 2023, Town Council Special meeting. (MLS)
7. Consider and act upon the minutes of the January 10, 2023, Town Council Work Session meeting. (MLS)
8. Consider and act upon the minutes of the January 10, 2023, Town Council meeting. (MLS)
9. Consider and act upon awarding CSP No. 2023-05-B to DDM Construction Corporation, related to construction services for the Teel/US 380 Intersection Improvements project; and authorizing the Interim Town Manager to execute a construction agreement for same. (HW)
10. Consider and act upon approving a Service Agreement with Flock Group, Inc. for the purchase of software and hardware situational awareness solution for automatic license plates, video, and audio detection; and authorizing the Interim Town Manager to execute documents for same. (DK)
11. Consider approving the purchase of a 2023 Chevrolet Silverado 1500 for Construction Inspection, a 2023 Chevrolet Silverado 1500 for Right of Way, and a 2023 Ford Maverick for Code Enforcement from Enterprise Fleet Management utilizing The Interlocal Purchasing System (TIPS); and authorizing the Interim Town Manager to execute the same. (JC)
12. Consider and act upon an ordinance granting a non-exclusive gas franchise to Atmos Energy Corporation. (RBS)
13. Conduct a public hearing and consider and act upon a request to rezone 0.1± acres from Single Family-15 (SF-15) to Downtown Office (DTO), on Lots 10A & 11B, located on the north side of Broadway Street, east of Coleman Street. (Z22-0017). (DS)
14. Conduct a public hearing and consider and act upon a request for a Specific Use Permit for a new Wireless Communications and Support Structure, on .2± acre, located on the north side of Prosper Trail, west of Legacy Drive. (S22-0011) (DS)
15. Conduct a public hearing and consider and act upon a request to amend a Specific Use Permit-19 (S-19) for a Child Care Center, Licensed on 2.3± acres, located on the north side of Prairie Drive, west of Legacy Drive. (S22-0010) (DS)
16. Consider and act upon a resolution expressing official intent to reimburse costs of Town capital improvement program projects that may be funded with proceeds of

bonds or other obligations, if those costs are paid prior to the issuance of such bonds or other obligations. (CL)

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:

17. Conduct a public hearing and consider and act upon ordinances adopting the following International Codes with local amendments:
 - A. 2021 Existing Building Code;
 - B. 2021 Building Code;
 - C. 2021 Residential Code;
 - D. 2021 Plumbing Code;
 - E. 2021 Mechanical Code;
 - F. 2021 Fuel Gas Code;
 - G. 2021 Energy Conservation Code;
 - H. 2021 Property Maintenance Code;
 - I. 2021 Fire Code;
 - J. 2020 National Electric Code;

and repealing all prior versions of said International Codes, to the extent referenced in each applicable ordinance. The foregoing codes are contained in Chapter 3, "Building Regulations, " of the Town's Code of Ordinances, as amended. (BC)

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 551.089 - Deliberation of security information collected, assembled, or maintained by or for a governmental entity to prevent, detect or investigate criminal activity, pursuant to Section 2059.055 of the Texas Government Code, and all matters incident and related thereto.

Section 551.071– To discuss retention of legal services to assist in NEPA EIS evaluation, 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, January 20, 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.