



*Prosper is a place where everyone matters.*

**Agenda**  
**Prosper Town Council Meeting**  
Council Chambers  
Prosper Town Hall  
250 W. First Street, Prosper, Texas  
Tuesday, August 09, 2022  
**5:45 PM**

**Notice Regarding Public Participation**

Welcome to the Prosper Town Council. Individuals may attend the meeting in person, or access the meeting via videoconference, or telephone conference call.

Join the Zoom Meeting by clicking on the following link: <https://us02web.zoom.us/j/87189889684>

To join the meeting by phone, dial (346) 248-7799

Enter Meeting ID: 871 8988 9684

**Addressing the Town Council:**

Those wishing to address the Town Council must complete the [Public Comment Request Form](#) located on the Town website or in Council Chambers.

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

**If you are attending online/virtually**, please submit this form to the Town Secretary prior to 5:00 p.m. on the day of the meeting. Please ensure your full name appears on the screen and you are unmuted so the meeting moderator can recognize you and allow you to speak. The Chat feature is not monitored during the meeting. The Town assumes no responsibility for technical issues that are beyond our control.

**If you encounter any problems joining or participating in the meeting, please call our help line at 972-569-1191 for assistance.**

**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 of the July 26, 2022, Town Council meeting. (MLS)

2. Consider and act upon the minutes of the July 26, 2022, Town Council Work Session meeting. (MLS)
3. Consider and act upon a resolution approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2022 rate review mechanism filing. (BP)
4. Consider and act upon a resolution authorizing the Mayor to execute a Joint Administrative Agreement with Denton County for the Community Development Block Grant (CDBG) three year program for fiscal year 2023, 2024, and 2025. (MLS)
5. Consider and act upon authorizing the Mayor to execute a Professional Engineering Services Agreement between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the Public Works and Parks and Recreation Facility Master Plan project. (FJ)
6. Consider and act upon awarding CSP No. 2022-44-B to American Landscape Systems, related to construction services for the Coleman Street Median Landscaping (Victory-Preston) and the Prosper Trail Median Landscaping (DNT-700' East) project; and authorizing the Mayor to execute a construction agreement for same. (HW)
7. Consider and act upon an ordinance to rezone Planned Development-86 (PD-86) to Planned Development-114 (PD-114), on 277.6± acres, to amend the single-family residential regulations, located on the north side of US 380, west of Custer Road. (Z22-0005). (DS)
8. Consider and act upon authorizing the Mayor execute a Development Agreement between 104 Prosper, 310 Prosper, Prosper Hollow LP & Paramount Soft LP, DD Brookhollow LLC, 55 Prosper and the Town of Prosper, Texas, related to Rutherford Creek development, located on the north side of US 380, west of Custer Road. (DS)
9. Consider and act upon an ordinance for a Specific Use Permit (SUP) for a Day Care Center (Grace Chapel), on 5.4± acres, located on the southeast corner of FM 1385 and Denton Way. (S22-0005). (DS)
10. Consider and act upon authorizing the Mayor to execute a Development Agreement between North Texas Conference of the United Methodist Church, and the Town of Prosper, Texas, related to the Grace Chapel Prosper development, located on the southeast corner of FM 1385 and Denton Way. (DS)
11. Consider and act upon an ordinance to amend Planned Development-93 (PD-93), on 0.8± acres, located on the southwest corner of Broadway Street and Preston Road, in order to allow for a restaurant with drive-through services. (Z22-0006). (DS)
12. Consider and act upon authorizing the Mayor to execute a Development Agreement between SCSD-FINNELL, LTD, and the Town of Prosper, Texas, related to the Black Rifle Coffee development, located on the southwest corner of Broadway Street and Preston Road. (DS)
13. Consider and act upon an ordinance for a Specific Use Permit (SUP) for a Restaurant with Drive-Through Service, on 1.2± acres, in the Victory at Frontier development. (S22-0006). (DS)

14. 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 Plans and Preliminary Site Plans, including Mav Addition, Grace Chapel (Site Plan) & Grace Chapel (Preliminary Site Plan). (DS)

#### **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.

#### **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:**

15. Submission of the FY 2022-2023 Proposed Budget and Budget Message. (BP)
16. Consider and act upon scheduling a public hearing on the FY 2022-2023 proposed Budget. (BP)
17. Consider and act upon scheduling a public hearing for the FY 2022-2023 proposed tax rate. (BP)
18. Consider accepting submission of the 2022 no-new-revenue tax rate of \$0.438227 per \$100 taxable value and the voter-approval tax rate of \$0.527336 per \$100 taxable value. (BP)
19. Consider and act upon a proposed FY 2022-2023 property tax rate. (BP)

#### **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.*

#### **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, August 5, 2022, 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.

<p><b>NOTICE OF ASSISTANCE AT PUBLIC MEETINGS:</b> 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.</p>
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