



CITY OF FULSHEAR

30603 FM 1093, P. O. BOX 279, FULSHEAR, TEXAS 77441
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FULSHEAR CITY COUNCIL MINUTES NOVEMBER 18, 2014

I. CALL TO ORDER

A Regular City Council Meeting was called to order by Thomas C. Kuykendall, Jr., Mayor of City of Fulshear, at 7:03 p.m. in the Fulshear City Hall located at 30603 F.M. 1093 Road, Fulshear Texas 77441.

II. QUORUM

Mayor Kuykendall announced that all Council Members were present and welcomed all the audience to the Council Meeting.

Council Members 'Present:

Thomas C. Kuykendall, Jr., Mayor
Stephen Gill, Mayor Pro Tem
J. B. Collins, Jr.
Tricia Krenek
Tajana Mesic
Jeff Roberts

City Staff:

D. (Diana) Gordon Offord, City Secretary
C. J. Snipes, City Administrator
Michelle Killebrew, Building Official
Valerie Bryant, Municipal Court Clerk
Mary Meier, Communication Coordinator
Kenny Seymour, Chief of Police
Toni Viele, Utility Billing Clerk
Bobby Martin, Asst. Finance Director

OTHERS:

Randy McClendon
Shannon Purcell, Editor for West Fort Bend Buzz
Steve Littlefield
Ramona Ridge
Mary McKenzie
Juan Sandoval
And nine (9) others who did not sign in

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III. INVOCATION-PASTOR STEVE LITTLEFIELD, SIMONTON COMMUNITY CHURCH, SIMONTON, TEXAS

Pastor Littlefield provided the Prayer.

IV. PLEDGE OF ALLEGIANCE

Joseph Toscana, from Boy Scouts Troop No. 941, led the audience in the pledge of allegiance to the flag.

V. CITIZEN COMMENTS-NO ACTION CAN BE TAKEN

Those wishing to speak must sign in before the meeting begins. Citizens may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decision at this time. Each speaker is limited to three (3) minutes.

Mayor Kuykendall asked the City Secretary, D. Gordon Offord, if anyone had signed up for Comments. Ms. Offord stated yes and passed the sign in sheet to the Mayor. Mayor Kuykendall made a few announcements while waiting for the sign in sheet.

Mayor Kuykendall announced the following events would be coming up:

-Keep Fulshear Beautiful would be Saturday, November 22, 2014 and introduced the person in charge of the event, Ramona Ridge.

-Fulshear area Chamber of Commerce is hosting the City State of the Union Address that will be held at Safari Texas December 5, 2014 and tickets are available for purchase

-Special Election will be December 6, 2014 will be held at the Irene Stern Community Center for District 18 Senate seat in addition to the Christmas Festival Rock n' Roll event this same day from 5p.m. to 9:00 p.m. Mayor Kuykendall stated this will entail Santa's Village, Fireworks, and a local band. He stated everyone is invited.

Ramona Ridge stated she is concerned about preserving the trees. We need a tree ordinance. Presently land is being cleared on McKinnon and she is concerned about the beautiful trees being loss.

Mayor Kuykendall asked if there were any other comments. The audience was silent.

VI. CONSENT AGENDA

Items listed under the Consent Agenda are considered routine and are generally enacted in one motion. The exception to this rule is that a Council Member may request one or more items to be removed from the consent agenda for a separate discussion and action.

A. CONSENT and APPROVAL of MINUTES from the MEETING of OCTOBER 21 and 28, 2014

B. CONSENT and APPROVAL of TAMARRON GENERAL PLAN/REVISED GENERAL PLAN

- C. CONSENT and APPROVAL of VEHICLE PURCHASE for BUILDER SERVICES from CHASTANG FORD in the AMOUNT of \$26,896
- D. CONSENT and APPROVAL of CROSS CREEK RANCH/FULSHEAR BEND DRIVE/ STREET DEDICATION/PRELIMINARY PLAT
- E. CONSENT and APPROVAL of CROSS CREEK RANCH/WEST CROSS CREEK BEND LANE/NORTH OF POND FALLS BLVD./PRELIMINARY PLAT
- F. CONSENT and APPROVAL of CROSS CREEK RANCH/CREEK FALLS at CROSS CREEK RANCH/SECTION 4/PRELIMINARY PLAT
- G. CONSENT and APPROVAL of CROSS CREEK RANCH/CREEK COVE at CROSS CREEK RANCH/ SECTION 8/PRELIMINARY PLAT
- H. CONSENT and APPROVAL of FULBROOK on FULSHEAR CREEK/GENERAL PLAN
- I. CONSENT and APPROVAL of SOUTHPAW RESERVE at CROSS CREEK RANCH/PRELIMINARY PLAT
- J. CONSENT and APPROVAL of TAMARRON SECTION 16/PRELIMINARY PLAT
- K. CONSENT and APPROVAL of FULBROOK on FULSHEAR CREEK/ SECTION 5/ PRELIMINARY PLAT
- L. CONSENT and APPROVAL of FULBROOK on FULSHEAR CREEK/ SECTION 6/ PRELIMINARY PLAT
- M. CONSENT and APPROVAL of FULBROOK on FULSHEAR CREEK/ SECTION 7/ PRELIMINARY PLAT
- N. CONSENT and APPROVAL of KATY PUBLIC STORAGE/FIRETHORNE/ PRELIMINARY PLAT
- O. CONSENT and APPROVAL of FFG CAPITAL/REPLAT/ FINAL PLAT
- P. CONSENT and APPROVAL of FULSHEAR TRACE/ STREET DEDICATION/ SECOND EXTENSION/ PRELIMINARY PLAT
- Q. CONSENT and APPROVAL of CROSS CREEK RANCH VENTURE/ REPLAT /PRELIMINARY PLAT
- R. CONSENT and APPROVAL of QUARTERLY INVESTMENT REPORT for the QUARTER ENDED JUNE 30, 2014
- S. CONSENT and APPROVAL for the BRIDGE ACCEPTANCE for SPANISH MOSS CROSSING BRIDGE
- T. CONSENT and APPROVAL for the STREET ACCEPTANCE for FULBROOK on FULSHEAR CREEK SECTION 3
- U. CONSENT and APPROVAL for the UTILITY CONVEYANCE and SECURITY AGREEMENT for FULBROOK on FULSHEAR CREEK SECTION 3.

Council Member Roberts asked about the truck listed. Mr. Snipes stated it was for the Permit office.

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A motion was made by Council Member Roberts to approve the Consent Agenda (items A through U) as presented. It was seconded by Council Member Mesic. The motion was carried by the following vote:

*Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None*

VII. REPORTS

Reports are presented to Council for information purposes only and no action may be taken on any item contained in a report with a specific actionable item listed under Business items.

A. REPORT from SEVERN TRENT WATER COMPANY (Repairs, New Installations, and report to TCEQ.)

Jason Demel presented the Severn Trent Water Company report to Council. He also provided each Council Member with a copy of request from residents regarding number of service calls and will be included in all future reports. No action was taken.

B. REPORT from the POLICE DEPARTMENT (Traffic Citations, Arrests, Incidents and Calls for Service)

Chief Seymour presented the Police Report to Council. He also stated he has hired two new additional officer that will start employment on next month and will be introduce to Council at a later date. He stated that also they have moved into their new facility located on McKinnon road. No action was taken.

C. REPORT from the MUNICIPAL COURT CLERK (Fees and Fines)

Valerie Bryant presented the Municipal Court Clerk report to Council. Ms. Bryant stated that a new employee has been hired to assist the Municipal Court and this individual will start on Thursday, November 20, 2014. No action was taken.

D. REPORT from the BUILDER SERVICES DEPARTMENT (Permits Issued, Inspections)

Michelle Killebrew presented the Builder Services report to Council. No action was taken.

VIII. BUSINESS

A. CONSIDERATION and POSSIBLE ACTION to APPROVE CHECKS PAID and PAYABLES from OCTOBER 18, 2014 to NOVEMBER 14, 2014

Council Member Gill stated he has some questions. He asked about the charge for DRJ for a T-Pole. Mr. Snipes explained this is a temporary pole for the Christmas Display. Council Member Gill asked about Conway. Mr. Snipes explained that this is our Energy Consultants which helps monitor for our street lights. Council Member Gill asked about the charge for Kara's Photography. Mr. Snipes stated this was a book purchased by Ms. Mesic for the City. Council Member Mesic stated it is a marketing book done by residents. Council Member Gill questioned how the book would be used for the City. Council Member Krenek asked if there is an ordinance that authorizes member to make purchases for the City as we just finished our

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budgeting process. Mr. Snipes stated that we just adopted in September a purchasing system and has to be done through a "PO" (purchase order) and submitted to the finance department or myself. Mr. Snipes stated that she purchased it and offered it to the City. Council Member Mesic stated that if that is not the proper thing (book cost \$60) and apologize and she would donate the book to the City and it can be removed from the payables.

Council Member Krenek asked about a mark certification. Mr. Snipes stated it is a certification regarding the pollinated garden. Council Member Krenek asked if this is a state purchase sign? Council Member Krenek stated she is familiar with the way finding signs. Council Member Mesic stated it is an education sign and it certifies the monarch butterfly garden to become part of a parks national certification. Mr. Snipes stated that Ms. Mesic submitted the application process. Council Gill thought it should be best being authorize through the City. Mayor Kuykendall asked if it was approved by our Parks Committee. The answer was yes. Council Member Krenek stated she wanted to ensure that we are following our City's Policies and Procedures. Council Member Mesic stated it probably should have gone to the Park. Mr. Snipes stated that it did but still has to be final approval through City Council. Mayor Kuykendall stated we will try to lay out some clarifications on those procedures in case there was any misunderstandings.

Council Member Gill made a motion to approve the Checks Paid and Payables from October 18, 2014 to November 14, 2014 subject to excluding the book from Kara's Photography. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

B. DISCUSSION and UPDATE on REVISION PROCESS for the SIGN ORDINANCE to ALLOW for DIGITAL SIGNAGE RELATED to PRIOR REQUEST for VARIANCE

Mr. Snipes, City Administrator, stated that we had received a request for a variance from Randolph School and it was determine that the ordinance needed to be revised instead of granting a variance. He stated that the Committee has met four times and have drafted an ordinance but it still working through some issues before it can be submitted for adoption. These issues involved definition of a school and code enforcement if a violation occurs. Through the committee's research they have learned that a school has a wide variety of definitions such as a day care or dance studio or pet training that is done at "Waggin Tail" can also be classified as a school. They are having difficult tightening down a definition for school. A target date has been set to have a potential ordinance by next Council Meeting. Mr. Snipes stated that the committee is scheduled to meet tomorrow morning. There was approximately a ten minute discussion among the Council Members.

No action was taken on this item.

C. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. 2014-262 SUPPORTING REVISION of LEGISLATION REGARDING MUNICIPAL POWERS of ANNEXATION

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C. J. Snipes, City Administrator, states that we are pattern after Waller County to use an ordinance to annex properties which grants authority to General Law Cities boundaries through annexation of adjacent road ways, right of way and allows the Mayor or his designee to seek legislative approval for such an amendment. Mr. Snipes explained the process of annexing disconnect properties to the City.

A motion was made by Council Member Krenek to approve Resolution No. 2014-262 supporting revision of Legislation regarding Municipal Powers of Annexation. It was seconded by Council Member Collins. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

D. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. 2014-263, A RESOLUTION AUTHORIZING THE PARTICIPATION OF THE CITY OF FULSHEAR WITH OTHER CITIES IN THE TEXAS COALITION OF CITIES FOR UTILITY ISSUES; NAMING, A REPRESENTATIVE AUTHORIZING PAYMENT OF AN ANNUAL FEE; AND PROVIDING AN EFFECTIVE DATE

C.J. SNIPES, City Administrator, explained to the Council the role of the Texas Coalition. They will be responsible for collecting data and providing input on bills proposed in the legislature relating to such matters and maybe can enhance our franchise fees.

Council Member Krenek stated we should nominate Toni Velie as our representative.

Mr. Snipes stated that the fees would be \$550.00 per year.

A motion was made by Council Member Krenek to approve Resolution No. 2014-263, a resolution authorizing the participation of the City of Fulshear with other cities in the Texas coalition of cities for utility issues; naming Toni Velie, representative, authorizing payment of \$550.00 initial fee; and providing an effective date. It was seconded by Council Member Gill. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

F. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2014-1163 an ORDINANCE of the CITY of FULSHEAR APPROVING PIPELINE FRANCHISE with ENTERPRISE PIPELINE for the RANCHO PROJECT

C.J. Snipes, City Administrator, explained the purpose of Ordinance No. 2014-1163 regarding the pipeline. Mr. Snipes introduced the representative, Jeff Steinig, from the pipeline company. There was a short question and answer period among Mr. Steinig and the Council.

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A motion was made by Council Member Gill to approve Ordinance No. 2014-1163 an ordinance of the City of Fulshear approving pipeline franchise with Enterprise Pipeline for the Ranch Project. It was seconded by Council Member Collins. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

G. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2014-1164 an ORDINANCE of the CITY of FULSHEAR AMENDING ORDINANCE NO. 214-1127, SECTION 2.0, PARAGRAPH (B) SECTION 3.0 PARAGRAPH (D) CLARIFYING DETERMINATION on WAIVERS; also SECTION 9.0 PARAGRAPHS (A), (B) and (C) CLARIFYING APPELLATE PROCESS

C.J. Snipes, City Administrator, explained that this ordinance would clarify the authority to make decisions regarding billing, payment, and other pertinent issues related to the provision of water, wastewater and solid waste services.

A motion was made by Council Member Krenek to approve Ordinance No. 2014-1164 an ordinance of the City of Fulshear amending ordinance No. 2014-1127, Section 2.0, paragraph (B) Section 3.0 paragraph (D) clarifying determination on waivers; also Section 9.0 paragraphs (A), (B) and (C) clarifying appellate process. It was seconded by Council Member Gill. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

H. CONSIDERATION and POSSIBLE ACTION to APPROVE UTILITY BILLING STANDARD OPERATING PROCEDURES

A motion was made by Council Member Gill to approve Utility Billing Standard operating procedures. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

IX. EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.

A GOVERNMENTAL BODY MAY CONDUCT A CLOSED MEETING TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.

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Mayor Kuykendall announced that Council will enter into Executive Session at 7:57 p.m. and quorum is present.

X. RECONVENE AND TAKE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION IF DEEMED APPROPRIATE

Mayor Kuykendall announced that Council would reconvene back into regular session at 8:13 p.m. and a quorum was present. Mayor Kuykendall asked if there was any action needed to be taken from the Executive Session.

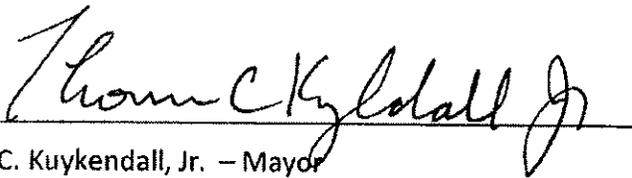
A motion was made by Council Member Krenek to authorize an appraisal. It was seconded by Council Member Gill. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

XI. ADJOURNMENT

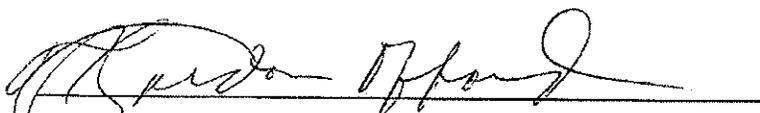
_____ A motion was made by Council Member Collins to adjourn at 8:14 p.m. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None



Thomas C. Kuykendall, Jr. – Mayor

Attest:



D. (Diana) Gordon Offord - TRMC/City Secretary