



# ***CITY OF FULSHEAR***

30603 FM 1093, P. O. BOX 279, FULSHEAR, TEXAS 77441  
PHONE: 281-346-1796 FAX: 281-346-2556

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## **FULSHEAR CITY COUNCIL MINUTES JULY 19, 2011**

### **I. CALL TO ORDER**

*A regular meeting of the Fulshear City Council was called to order by Mayor Thomas C. Kuykendall, Jr., at 7:00 p.m., Tuesday, July 19, 2011 in the Fulshear City Hall, 30603 FM 1093, Fulshear, Texas and all citizens were welcomed.*

### **II. QUORUM**

*A quorum was present.*

#### MEMBERS PRESENT:

*Thomas C. Kuykendall, Jr., Mayor  
J. B. Collins, Jr., Mayor Pro-Tem  
Larry Beustring  
Stephen Gill  
Laverne Patterson  
Jeff Roberts*

#### CITY STAFF PRESENT

*D. Gordon Offord, City Secretary  
C. J. Snipes, City Administrator  
Tim Kirwin, Asst. City Attorney  
Kristina Brashear, Finance Director  
Michelle Kirchner, Building Inspector*

#### GUESTS PRESENT

*Samuel Shelton  
Saib Szour  
Gwen Fox  
Charles Holmes  
Russ Cusbey  
Mike James  
Viola Randle  
And 5-7 others who did not sign in*

### **III. INVOCATION - Reverend Jackie Gilmore, Pastor of the Greater Zachery Baptist Church, Fulshear, Texas**

*Prayer was provided by Reverend Jackie Gilmore, Pastor of the Greater Zachery Baptist Church, Fulshear, Texas.*

### **IV. PLEDGE OF ALLEGIANCE**

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*The Pledge of Allegiance was lead by Mayor Thomas C. Kuykendall, Jr.*

**V. CITIZEN COMMENTS – NO ACTION CAN BE TAKEN**

*Michelle Kirchner, Building Inspector for the City, discussed the BeautiFulshear Cleanup which would take place on July 30, 2011 starting at 8:00 a.m. She stated that flyers would be sent to residents of the City of Fulshear and that I.D. would be required to drop off items. There were approximately a 20 minutes question and answer period. Also, she stated they were still in need of volunteers.*

**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 June 21, 2011 MEETING**

**B. CONSENT and APPROVAL of PAYABLES from JUNE 22, 2011 thru JULY 19, 2011**

**C. CONSENT and APPROVAL of BUDGET REPORT PERIOD ENDING JUNE 30, 2011**

**D. CONSENT and APPROVAL of THIRD QUARTER INVESTMENT REPORT**

**E. CONSENT and APPROVAL of CROSS CREEK BEND LANE from SOUTH FRY ROAD to BLANCO RIDGE LANE – FINAL PLAT**

**F. CONSENT and APPROVAL of CREEK BEND at CROSS CREEK RANCH- SECTION 3- FINAL PLAT**

**G. CONSENT and APPROVAL of CREEK COVE at CROSS CREEK RANCH- SECTION 1- PRELIMINARY PLAT**

**H. CONSENT and APPROVAL of SUBDIVISION: “ LAZY J ACRES” REVISED PRELIMINARY PLAT LOCATED on FM 1093**

**I. CONSENT and APPROVAL of CHURCHILL FARMS SUBDIVISION: DETENTION and DRAINAGE – FINAL PLAT**

*A motion was made by Alderman Gill to approve the consent agenda excluding the payables for Bono Brothers of charges amounting to \$42,000.00. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**VII. REPORTS**

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

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**A. REPORT from SOUTHWEST WATER COMPANY (Repairs, New installations, and reports to TCEQ.)**

*A report from Southwest Water Company was presented by Jason Demel. No action was taken.*

**B. REPORT from the POLICE DEPARTMENT (Traffic Citations, arrests, incidents, calls for service)**

*A report from the Police Department was presented by Acting Chief of Police, Kenny Seymour. No action was taken.*

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

*A report from the Municipal Court was presented by Elaine Brown, Contract Court Clerk. No action was taken.*

**VIII. BUSINESS**

**A. CONSIDERATION and POSSIBLE ACTION to ADOPT ORDINANCE NO. 2011-1039 an ORDINANCE of the CITY of FULSHEAR, TEXAS REPEALING ORDINANCE NO. 2011-1038 and REPLACING it with an ORDINANCE SETTING TWO PUBLIC HEARINGS on the ANNEXATION of THREE TRACTS of LAND TOTALING APPROXIMATELY 52 ACRES**

*Mayor Kuykendall explained that action was taken at the last City Council meeting regarding this annexation but that the acreage was incorrectly stated and so the process must start over. The correct acreage is 52 instead of the 26.*

*A motion was made by Alderman Beustring to approve and adopt Ordinance No. 2011-1039 and ordinance of the City of Fulshear, Texas repealing Ordinance No. 2011-1038 and replacing it with an ordinance setting two public hearings on the annexation of three tracts of land totaling approximately 52 acres. It was seconded by Alderman Gill. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**B. CONSIDERATION and POSSIBLE ACTION TO ADOPT ORDINANCE NO. 2011-1040 an ORDINANCE of the CITY of FULSHEAR, TEXAS REPEALING and REPLACING ORDINANCE NO. 82-594 CONCERNING ITINERANT VENDORS**

*There was approximately a fifteen minutes discussion among Council members regarding vendors selling goods on the side of roads. Alderwoman Patterson stated that we always done this all of our lives (example: selling of watermelons). Other questions arose as to whether this would apply to charitable organizations. Mayor Kuykendall stated that the ordinance addresses this issue and non-profit organizations are exempt.*

*A motion was made by Alderman Gill to adopt Ordinance No. 2011-1040 and ordinance of the City of Fulshear, Texas repealing and replacing Ordinance No. 82-594 concerning itinerant vendors. It was seconded by Alderman Collins. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, and Roberts*

*Nays: Alderwoman Patterson*

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**C. CONSIDERATION and POSSIBLE ACTION to ADOPT ORDINANCE NO. 2011-1041 an ORDINANCE of the CITY of FULSHEAR, TEXAS REGULATING NOISE**

*A motion WAS MADE by Alderman Beustring to adopt Ordinance No. 2011-1041 an ordinance of the City of Fulshear, Texas regulating noise. It was seconded by Alderman Gill. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**D. CONSIDERATION and POSSIBLE ACTION to AWARD BANK DEPOSITORY CONTRACT for FIDUCIARY SERVICES to the CITY**

*C. J. Snipes, City Administrator, requested that Council table this item due to a last call from the City Attorney's office some issues need to be worked out before it can go before Council for consideration and had gone unnoticed until placing on the agenda.*

*A motion was made by Alderman Gill to table this item (item D). It was seconded by Alderman Roberts. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

*Alderman asked if items E and F were the same. Mayor Kuykendall stated "no" but that they were similar in nature. It was requested that both items be voted on at the same time if there were no objections. No one objected.*

**E. CONSIDERATION and POSSIBLE ACTION to APPROVE REQUEST from JONES & CARTER, INC. REGARDING EXTENSION of the EXPIRATION DATE for the WEST FIRETHORNE ROAD SECTION 1 STREET DEDICATION PLAT and the WEST FIRETHORNE ROAD SECTION 2 STREET DEDICATION PLAT**

**F. CONSIDERATION and POSSIBLE ACTION to APPROVE REQUEST from JONES & CARTER, INC. REGARDING EXTENSION of the EXPIRATION DATE for FIRETHORNE WEST SECTION 6 PLAT**

*A motion was made by Alderman Gill to approve items E and F. It was seconded by Alderman Roberts. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**IX. ADJOURNMENT**

*A motion was made by Alderman Collins to adjourn at 7:55 p.m. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

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*Thomas C. Kuykendall, Jr., Mayor*

*Attest:*

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*D. (Diana) Gordon Offord, City Secretary*

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D. Gordon Offord- City Secretary