



CITY OF FULSHEAR

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

FULSHEAR CITY COUNCIL MINUTES JULY 15, 2014

I. CALL TO ORDER

A Regular City Council Meeting was called to order by Thomas C. Kuykendall, Jr. Mayor City of Fulshear at 7:10 p.m. in the Fulshear City Hall located at 30603 FM 1093 Road, Fulshear, Texas 77441.

Mayor Kuykendall announced that July 16, 2014 will be the City's 190th birthday which covers 1824 to 2014. Mayor Kuykendall also stated that Year 1824 when Churchill Fulshear was granted the land from the Mexican government by Stephen F. Austin, Year 1890 when railroad came through and platted the township, and Year 1977 the City was incorporated.

Council Present:

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

Staff Present:

*D. (Diana) Gordon Offord, City Secretary
C. J. Snipes, City Administrator
Mary Meier, Communication Coordinator
Toni Velie, Utility Billing Clerk
Kristina Brashear, Finance Director
Cheryl Stalinsky, Economic Development Director
Michelle Killebrew, Building Official
J. Grady Randle, City Attorney*

Others Present:

*Jenni McLunkin
Christopher Breaus
Viola Randle
Russ Cosbey
Kristen McGaughey*

Continue- Others Present:

*Gaby Tassin
Shannon Purcell
Ramona Ridge
Laurie Szantkay
Frances Smart
Jo Douglas
Julie Dowdall
Don McCoy
Cherryl Finney
Todd Finney
Pam Bolil*

Mayor Kuykendall introduced two new scout members to Troop Number 941: Calvin Winn and Jason Krenek.

II. QUORUM

Mayor Kuykendall announced that we have a quorum and that all Council Members are present.

III. INVOCATION – Pastor Jackie Gilmore, Greater Zachery Baptist Church, Fulshear, Texas

___Mayor Kuykendall led the audience in a Prayer. He stated that Rev. Jackie Gilmore unable to be here.

IV. PLEDGE OF ALLEGIANCE

___Jason Krenek led the audience in the Pledge of Allegiance to the flag.

V. CITIZEN COMMENTS – NO ACTION CAN BE TAKEN

Ms. Kristen McGaughey had a complaint regarding the bicyclists. She observed a man going to the bathroom out in the opening and had no regard for any one passing by. She also stated that the bicyclists does not observe traffic rules and she is afraid someone is going to get hurt. She requested more visibility of the Police Department in unmarked cars in order to detour this type of behavior.

Ramona Ridge supports the dead end street ordinance.

Ms. Laurie Szantkay expressed that she does not want solicitors at her home. She also asked if the Council could deny the request to allow solicitors in the Cross Creek Community. She also stated that she does not want large trucks or SUVs travelling in Cross Creek with no purpose driving all over the grass.

Frances Smart states she cannot image any more traffic on Bois D' area. She urges Council to leave the road way it is.

No nameShe urges Council to keep the road ways the way they are in the Bois D' Arc area.

Julia Dowdall states she supports the dead-end street ordinance.

Cheryl Finney states she supports the dead end street ordinance.

Todd Finney says he enjoys the quality of life and he does not wish to see increased traffic on Bois D' Arc. He states that any more new development can find other ways instead of coming on to Bois D'.

Pam Bolil states she does want to see any change to Bois D' Arc and she supports the dead end street ordinance as that's what makes Fulshear beautiful.

VI. PUBLIC HEARING

The City Council of the City of Fulshear, Texas (City) has received a request from Waller County Road Improvement District #1 (RID) to approve a Strategic Partnership Agreement between the City and the RID for land described in Exhibit A. (For Exhibit, see the City's website: www.fulsheartexas.gov). The purpose of the public hearing is to receive input from the public on the proposed SPA. Members of the public who wish to present testimony or evidence regarding the proposed SPA will be given the opportunity to do so. For more information regarding the SPA, please contact D. (Diana) Gordon Offord, City Secretary at Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441. The City Council of the City of Fulshear hereby gives notice that two Public Hearings shall be held regarding request of the RID to enter into a SPA with the City.

Date: July 15, 2014

Date: July 15, 2014

Time: 7:00 P.M.

Time: 7:15 p.m.

Place: Fulshear City Hall

Place: Fulshear City Hall

Date Posted: 6-25-2014 by/a/D. Offord, City Secretary, City of Fulshear, Texas

*Mayor Kuykendall opened the **First Public Hearing** at 7:24 p.m. Mayor Kuykendall stated that we added territory to the ETJ by entering into an agreement with Waller County Road Improvement District #1 and there was about 80 acres not include in the first agreement and the Waller County Board wish to include this remaining 80 acres into City of Fulshear ETJ and the purpose of this Public Hearing is to go back and add this acreage. ___Mayor Kuykendall asked if there were any comments. The audience was silent. Mayor Kuykendall closed the Public Hearing at 7:25 p.m.*

Second Public Hearing:

Mayor Kuykendall opened the Second Public Hearing at 7:30 p.m. City Attorney J. Grady Randle explained the boundaries of the RID adopted by City of Fulshear along the with the conditions outlined in the agreement. He stated "Rooms To Go" is now in Fulshear's ETJ.

Mayor Kuykendall asked if there are any comments. The audience was silent. Mayor Kuykendall closed the Second Public Hearing at 7:34 p.m.

VII. 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 MEETINGS of JUNE 2nd and JUNE 17th, 2014
- B. CONSENT and APPROVAL of TAMARRON SECTION 7 /FINAL PLAT
- C. CONSENT and APPROVAL of TAMARRON SECTION 8/FINAL PLAT
- D. CONSENT and APPROVAL of SHOPS @ CROSS CREEK RANCH / PRELIMINARY PLAT
- E. CONSENT and APPROVAL of WEST FIRETHORNE ROAD SECTION 2 STREET DEDICATION/PRELIMINARY PLAT
- F. CONSENT and APPROVAL of FIRETHORNE WEST SECTION 12/ PRELIMINARY PLAT
- G. CONSENT and APPROVAL of FIRETHORNE WEST SECTION 14/ PRELIMINARY PLAT
- H. CONSENT and APPROVAL of FULBROOK on FULSHEAR CREEK SECTION 3 PARTIAL REPLAT NO. 1/ PRELIMINARY PLAT
- I. CONSENT and APPROVAL of STREET ACCEPTANCE for CREEK BEND at CROSS CREEK RANCH/SECTION 4
- J. CONSENT and APPROVAL of UTILITY CONVEYANCE and SECURITY AGREEMENT for CREEK BEND at CROSS CREEK RANCH, SECTION 4

A motion was made by Council Member Gill to approve the Consent Agenda as presented. It was seconded by Council Member Mesic. The motion was carried by the following vote:

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

Nays: None

Mayor Kuykendall announced that we will now go back to our Second Public Hearing. Go back to the Public Hearing Section for details.

VIII. 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.

- A. REPORT from SEVERN TRENT WATER COMPANY (Repairs, New installations, and reports to TCEQ.)

Jason Demel presented the Severn Trent Report to the Council. No action was taken.

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

Chief Kenny Seymour presented the Police Department Report to the Council. No action was taken.

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

Elaine Brown presented the Municipal Court Report. No action was taken.

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

Michelle Killebrew presented the Builder Service Department Report. No action was taken.

IX. BUSINESS

A. CONSIDERATION and POSSIBLE ACTION to APPROVE CHECKS PAID and PAYABLES from JUNE 14, 2014 to JULY 11, 2014

A motion was made by Council Member Mesic to approve checks paid and payables from June 14, 2014 to July 11, 2014. 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

B. CONSIDERATION and POSSIBLE ACTION to APPROVE RESIDENTIAL MARKETING SOLICITATION REQUESTS from REPRESENTATIVES from ADVANCED MARKETING as DESCRIBED ON ATTACHED LIST (TOTAL OF 31 REQUESTS)

There was about thirty minute discussion regarding solicitation such as background checks, number of solicitors allowed in Cross Creek, what the law allows, and whether permits are required. C. J. Snipes gave a synopsis on marketing how the City has been dealing with this issue in order not to infringe on the rights of marketing associations and citizens of Fulshear. Attorney J. Grady Randle stated that Cities does not have the right to band solicitation but can regulate the activities such as requiring permits, hours, fees, etc.

A motion was made by Council Member Gill to table residential marketing solicitation requests from representatives from Advanced Marketing as described on attached list (total of 31 requests). 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

C. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2014-1149 an ORDINANCE of the CITY of FULSHEAR to APPROVE EXTENSION of the STRATEGIC PARTNERSHIP AGREEMENT between the CITY of FULSHEAR and WALLER COUNTY ROAD IMPROVEMENT DISTRICT #1

A motion was made by Council Member Mesic to approve Ordinance No. 2014-1149 an ordinance of the City of Fulshear to approve extension of the Strategic Partnership Agreement between the City of Fulshear and Waller County Road Improvement District #1. 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

D. CONSIDERATION and POSSIBLE ACTION to APPROVE ENGAGEMENT LETTER for AUDIT SERVICES with WHITLEY PENN

A motion was made by Council Member Krenek to approve Engagement Letter for Audit Services with Whitley Penn. 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*

E. CONSIDERATION and POSSIBLE ACTION to APPROVE UTILITY BILL MAILING under the CITY'S FIDUCIARY BANKING CONTRACT with WELLS FARGO

A motion was made by Council Member Gill to approve Utility Bill mailing under the City's Fiduciary Banking Contract with Wells Fargo. 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*

F. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. 2014-253 a RESOLUTION of the CITY of FULSHEAR EXPRESSING SUPPORT for the PASSAGE of a CONSTITUTIONAL AMENDMENT related to FUNDING for TRANSPORTATION

A motion was made by Council Member Krenek to approve Resolution No. 2014-253 a Resolution of the City of Fulshear Expressing support for the passage of a constitutional amendment related to Funding for Transportation. 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*

G. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. 2014-254 a RESOLUTION of the CITY of FULSHEAR DECLARING CERTAIN ITEMS/ PROPERTY SURPLUS and SALVAGE

A motion was made by Council Member Krenek to approve Resolution No. 2014-254 a resolution of the City of Fulshear declaring certain items/property surplus and salvage. 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 ORDINANCE NO. 2014-1150 an ORDINANCE of the CITY of FULSHEAR AFFIRMING the "DEAD END" STATUS of COUNTRY, LEA, PENN, OAK, SHADY, TERRY, WALKER and RED BIRD LANES as DESCRIBED in the CITY'S MAJOR THOROUGHFARE PLAN

A motion was made by Council Member Mesic to approve Ordinance No. 2014-1150 an ordinance of the City of Fulshear affirming the "dead end" status of Country, Lea, Penn, Oak, Shady, Terry, Walker, and Red Bird Lanes as described in the City's Major Thoroughfare Plan. 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*

I. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2014-1151 an ORDINANCE of the CITY of FULSHEAR INSTALLING STOP SIGNS at the INTERSECTION of SUGAR BERRY CRESCENT and LAKE HILL FARM WAY near that STREET'S INTERSECTION with FULSHEAR TRACE

A motion was made by Council Member Gill to approve Ordinance No. 2014-1151 an ordinance of the City of Fulshear installing stop signs at the Intersection of Sugarberry Crescent and Lake Hill Farm Way near that street's intersection with Fulshear Trace. 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*

J. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2014-1152 an ORDINANCE of the CITY of FULSHEAR AMENDING ORDINANCE NO. 2012-1080 regarding DESIGNATED TRUCK ROUTES

A motion was made by Council Member Collins to approve Ordinance No. 2014-1152 an ordinance of the City of Fulshear amending Ordinance No. 2012-1080 regarding designated truck routes. 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*

K. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2014-1153 an ORDINANCE of the CITY of FULSHEAR AMENDING ORDINANCE NO. 2013-1110, 2014-1139 and 2014-1132 ORDINANCES APPROVING, ADOPTING and AMENDING the CITY'S GENERAL BUDGET for FISCAL YEAR 2013-2014, by APPROVING "BUDGET AMENDMENT III" to the "ORIGINAL GENERAL BUDGET of the CITY of Fulshear, TEXAS, for the FISCAL YEAR 2013-2014";

L. PROVIDING for SUPPLEMENTAL APPROPRIATION and/or TRANSFER of CERTAIN FUNDS; PROVIDING for SEVERABILITY; and PROVIDING for other MATTERS RELATED to the SUBJECT

A motion was made by Council Member Gill to approve Ordinance No. 2014-1153 an ordinance of the City of Fulshear amending Ordinance No. 2013-1110, 2014-1139 and 2014-1132 ordinances approving, adopting and amending the City's General Budget for Fiscal Year 2013-2014, by approving "Budget Amendment III" to the "Original General Budget of the City of Fulshear, Texas for the Fiscal Year 2013-2014; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing for other matters related to the subject. It was seconded by Council Member Krenek. The motion was carried by the following vote:

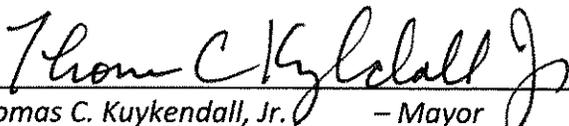
*Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None*

IX. ADJOURNMENT

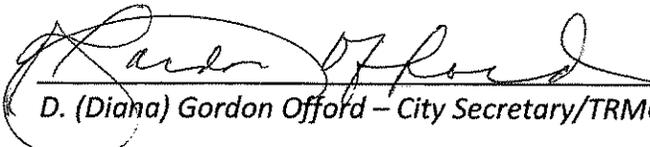
_____ A motion was made by Council Member Mesic to adjourn. It was seconded by Council Member Collins. The motion was carried by the following vote:

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

Mayor Kuykendall announced that the Council Meeting was now adjourned.


Thomas C. Kuykendall, Jr. – Mayor

Attest:


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