



# CITY OF FULSHEAR

30603 FM 1093, P. O. BOX 279, FULSHEAR, TEXAS 77441  
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## FULSHEAR CITY COUNCIL MINUTES JANUARY 17, 2012

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

*A Regular Meeting of the Fulshear City Council was called to order by Mayor, Thomas C. Kuykendall, Jr., at 7:12 p.m. Tuesday, January 17, 2012 in the Fulshear City Hall, 30603 FM 1093, Fulshear, Texas and all citizens were welcomed.*

#### **MEMBERS PRESENT:**

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

#### **MEMBERS ABSENT:**

*Laverne Patterson*

#### **STAFF PRESENT:**

*D. (Diana) Gordon Offord, City Secretary  
C. J. Snipes, City Administrator  
Tim Kirwin, Assistant City Attorney  
Kristina Brashear, Finance Director  
Michelle Kirchner, Building Inspector  
Kenny Seymour, Police Chief*

#### **OTHERS:**

*Marcia Simmons  
Alicia Coltzer  
And 14 others who did not sign in*

### II. **QUORUM**

*A quorum was present.*

### III. **INVOCATION** – Alicia Coltzer, Pastor of First United Methodist Church, Fulshear, Texas

*Alicia Coltzer, Pastor of the First United Methodist Church, Fulshear, Texas gave the invocation.*

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

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*The Pledge of Allegiance to the flag was led by Mayor Thomas C. Kuykendall, Jr.*

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

*Marcia Simmons, representative of the Fulshear Art Council, invited everyone to the Local Artist Showcase to be held at the Wilson Street Gallery on Thursday, January 26, 2012 from 7-9 p.m.*

*There were no other comments.*

**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 DECEMBER 13, 2011 MEETINGS**
- B. CONSENT and APPROVAL of PAYABLES from DECEMBER 13, 2011 thru JANUARY 13, 2012**
- C. CONSENT and APPROVAL of BUDGET REPORT for the PERIOD ENDING DECEMBER 31, 2011**
- D. CONSENT and APPROVAL of QUARTERLY INVESTMENT REPORT**
- E. CONSENT and APPROVAL of CALLING an ELECTION DATE AS MAY 12, 2012**
- F. CONSENT and APPROVAL of ENTERING an AGREEMENT with FORT BEND COUNTY to ADMINISTER the FULSHEAR CITY ELECTION**
- G. CONSENT and APPROVAL of ADOPTING APRIL 30, 2012 through MAY 8, 2012 as EARLY VOTING DAYS**
- H. CONSENT and APPROVAL on SIGN PERMIT APPLICATION: THE BUNKER HOUSE/LOCATION 8040 FM 1093, FULSHEAR, TEXAS**
- I. CONSENT and APPROVAL of TRENDMAKER: CROSS CREEK RANCH/LAKES of CROSS CREEK RANCH-SECTION 3 PRELIMINARY PLAT**

*A motion was made by Alderman Beustring to approve the Consent Agenda as presented. It was seconded by Alderman Roberts. The motion was carried by the following vote:*

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

*Nays: None*

*Absent: Alderwoman Patterson*

**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.

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

*A report from Southwest Water Company was presented by Brian Bare. No action was taken. (Jason Demel was on vacation).*

- B. **REPORT from the POLICE DEPARTMENT (Traffic Citations, arrests, incidents, calls for service)**  
*A report from the Police Department was presented by Chief Kenny Seymour. No action taken.*
- C. **REPORT from the MUNICIPAL COURT CLERK (Fees and Fines)**  
*A report from the Municipal Court Clerk was presented by Elaine Brown, Contracted Court Clerk.  
No action taken.*

VIII. **BUSINESS**

- A. **CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE No. 2012-1058 an ORDINANCE of the CITY of FULSHEAR REPEALING and REPLACING ORDINANCE NO. 2011-939A CONCERNING SIGNS within the CITY LIMITS and ETJ of CITY of FULSHEAR**

*Mayor Kuykendall open this agenda item for discussion. It was previously discussed in the workshop but due to time restraints the discussion was not completed. Alderman Roberts had several questions. The main issues addressed were political signs, special events signs, and assigning of sign district. Alderman Collins was concerned about the fees charged special event signs and the penalty fee of \$500 per day as he did not want the developers looking at this in negative way as Fulshear welcomes new businesses. Also, Alderman Roberts suggested that we should not put limits as to the height of the American Flag. This discussion continued for about 30 minutes between the Council and Alderman Roberts suggested that we should have a workshop before bring the ordinance up for consideration.*

*A motion was made by Alderman Gill to table the potential revised sign ordinance. It was seconded by Alderman Roberts. The motion was carried by the following vote:*

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

*Nays: None*

*Absent: Alderwoman Patterson*

- B. **CONSIDERATION and POSSIBLE ACTION to APPROVE AMENDMENT to the DEVELOPMENT AGREEMENTS for CROSS CREEK RANCH**

*A motion was made by Alderman Gill to approve Amendment to the Development Agreements for Cross Creek Ranch. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

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

*Nays: None*

*Absent: Alderwoman Patterson*

- C. **CONSIDERATION and POSSIBLE ACTION to APPROVE PARTICIPATION in a DIRECT DEPOSIT PROGRAM for PAYROLL through COMMERCIAL STATE BANK**

*A motion was made by Alderman Roberts to approve participation in a direct deposit program for payroll through Commercial State Bank. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

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*Ayes: Aldermen Beustring, Collins, Gill, and Roberts  
Nays: None  
Absent: Alderwoman Patterson*

**D. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE No. 2012-1061 an ORDINANCE of the CITY of FULSHEAR, TEXAS RECLASSIFYING CERTAIN PERSONNEL from EXEMPT to NON-EXEMPT status and ADOPTING a 7) K EXEMPTION POLICY for POLICE OFFICER OVERTIME**

*A motion was made by Alderman Gill to approve Ordinance No. 2012-1061 an ordinance of the City of Fulshear, Texas reclassifying certain personnel from exempt to non-exempt status and adopting a 7)K exemption policy for Police Officer overtime. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, and Roberts  
Nays: None  
Absent: Alderwoman Patterson*

**E. CONSIDERATION and POSSIBLE ACTION to APPROVE PURCHASE of NEW EQUIPMENT for LIFT STATION #1 at CROSS CREEK RANCH**

*A motion was made by Alderman Gill to table approval purchase of new equipment for Lift Station #1 at Cross Creek Ranch. It was seconded by Alderman Collins. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, and Roberts  
Nays: None  
Absent: Alderwoman Patterson*

**F. CONSIDERATION and POSSIBLE ACTION to NOMINATE for APPOINTMENT a QUALIFIED INDIVIDUAL to SERVE on the BOARD of FORT BEND SUBSIDENCE DISTRICT for a TERM of TWO (2) YEARS**

*Mayor Kuykendall made a recommendation to nominate Alderman Larry Beustring to serve on the Board of Fort Bend Subsidence District. Alderman Beustring abstain from voting on this item.*

*A motion was made by Alderman Gill to nominate Larry Beustring to serve on the Board of Fort Bend Subsidence District for a term of two (2) years. It was seconded by Alderman Collins. The motion was carried by the following vote:*

*Ayes: Aldermen Collins, Gill, and Roberts  
Nays: None  
Absent: Alderwoman Patterson  
Abstain: Alderman Beustring*

**G. CONSIDERATION and POSSIBLE ACTION to NOMINATE for APPOINTMENT a QUALIFIED INDIVIDUAL to SERVE on the BOARD of the NORTH FORT BEND WATER AUTHORITY**

*Mayor Kuykendall made the recommendation that Pat Hebert be retained as representing our precinct on the Board of the North Fort Bend Water Authority.*

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*A motion was made by Alderman Collins to nominate Pat Hebert to serve on the Board of the North Fort Bend Water Authority. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

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

*Nays: None*

*Absent: Alderwoman Patterson*

**H. CONSIDERATION and POSSIBLE ACTION to APPROVE the 10/20 YEAR WRITE OFF per TEXAS PROPERTY TAX CODE SECTION 33.05 "LIMITATION on COLLECTION of TAXES" per SUMMARY SUBMITTED by FORT BEND COUNTY TAX-ASSESSOR COLLECTOR, PATSY SCHULTZ**

*A motion was made by Alderman Roberts to approve the 10/20 year write off per Texas Property Tax Code Section 33.05 "Limitation on Collection of Taxes" per summary submitted by Fort Bend County Tax-Assessor Collector, Patsy Schultz. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

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

*Nays: None*

*Absent: Alderwoman Patterson*

**IX. ADJOURNMENT**

*A motion was made by Alderman Collins to adjourn the meeting at 8:03 p.m. It was seconded by Alderman Gill. The motion was carried by the following vote:*

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

*Nays: None*

*Absent: Alderwoman Patterson*

*Mayor Kuykendall announced that we are now adjourned.*

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**Thomas C. Kuykendall, Jr., Mayor**

**Attest:**

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