



# *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 MEETING FEBRUARY 21, 2012**

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

*A REGULAR MEETING OF THE FULSHEAR CITY COUNCIL WAS CALLED TO ORDER BY MAYOR, THOMAS C. KUYKENDALL, JR., AT 7:05 P.M. TUESDAY, FEBRUARY 21, 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, MAYOR PRO-TEM  
LARRY BEUSTRING  
STEPHEN GILL  
LAVERNE PATTERSON  
JEFF ROBERTS*

#### **MEMBERS ABSENT:**

*NONE*

#### **STAFF PRESENT:**

*D. (DIANA) GORDON OFFORD, CITY SECRETARY  
C. J. SNIPES, CITY ADMINISTRATOR  
J. GRADY RANDLE, CITY ATTORNEY  
TIM KIRWIN, ASSOCIATE CITY ATTORNEY  
KRISTINA BRASHEAR, FINANCE DIRECTOR  
MICHELLE KIRCHNER, BUILDING INSPECTOR  
ELAINE BROWN, CONTRACT COURT CLERK  
KENNY SEYMOUR, POLICE CHIEF*

#### **OTHERS PRESENT:**

*RUSS COSBEY  
GWEN FOX  
BODIE GILBERT  
BILL ARCHER  
JIM FAMEREE  
NANCY FAMEREE  
AND 20 OTHERS WHO DID NOT SIGN IN*

### **II. QUORUM**

*A QUORUM WAS PRESENT.*

### **III. INVOCATION – Bodie Gilbert, Associate Minister of First United Methodist Church, Fulshear, Texas**

FULSHEAR CITY COUNCIL MINUTES  
FEBRUARY 21, 2012  
PAGE 2

BODIE GILBERT, ASSOCIATE MINISTER OF THE FIRST UNITED METHODIST CHURCH, FULSHEAR, TEXAS GAVE THE INVOCATION.

IV. **PLEDGE OF ALLEGIANCE**

THE PLEDGE OF ALLEGIANCE TO THE FLAG WAS LED BY MAYOR THOMAS C. KUYKENDALL, JR.

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

THERE WERE NO CITIZENS 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 JANUARY 10, 2012 and JANUARY 17, 2012 MEETINGS**

B. **CONSENT and APPROVAL of PAYABLES from JANUARY 14, 2012 thru FEBRUARY 17, 2012**

C. **CONSENT and APPROVAL on SIGN PERMIT APPLICATION: FULSHEAR DOWNS/LOCATION 29810 F.M. 1093, FULSHEAR, TEXAS**

D. **CONSENT AND APPROVAL OF SIGN PERMIT APPLICATION: GUARDIAN TAEKWON-DO/LOCATION 29810 F.M. 1093 RD.- SUITE F**

E. **CONSENT and APPROVAL of TRENDMAKER: CROSS CREEK RANCH/LAKES of CROSS CREEK RANCH- SECTION 3 FINAL PLAT**

G. **CONSENT AND APPROVAL OF FIRETHORNE: FIRETHORNE SECTION 23/ FINAL PLAT**

H. **CONSENT AND APPROVAL OF FIRETHORNE: FIRETHORNE SECTION 24/ FINAL PLAT**

\_\_\_\_A MOTION WAS MADE BY ALDERMAN GILL TO APPROVE THE CONSENT AGENDA. 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.

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 REQUIRED.

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

A REPORT FROM THE POLICE DEPARTMENT WAS PRESENTED BY CHIEF SEYMOUR. NO ACTION REQUIRED.

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

A REPORT FROM THE MUNICIPAL COURT WAS PRESENTED BY ELAINE BROWN, CONTRACTED COURT CLERK. NO ACTION REQUIRED.

VIII. **BUSINESS**

A. **CONSIDERATION and POSSIBLE ACTION to APPROVE PURCHASE of NEW EQUIPMENT for LIFT STATION #1 at CROSS CREEK RANCH for PUMP NO. 2**

A MOTION WAS MADE BY ALDERMAN GILL TO APPROVE PURCHASE OF NEW EQUIPMENT FOR LIFT STATION #1 AT CROSS CREEK RANCH FOR PUMP NO. 2. IT WAS SECONDED BY ALDERMAN BEUSTRING. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE

B. **CONSIDERATION and POSSIBLE ACTION to ACCEPT PETITION for CONSIDERATION and POSSIBLE ACTION to ACCEPT PETITION for VOLUNTARY ANNEXATION into the CITY of FULSHEAR, TEXAS, a 1.901 ACRE TRACT of LAND SUBMITTED by MGJ HOLDINGS, LP**

A MOTION WAS MADE BY ALDERMAN ROBERTS TO ACCEPT PETITION FOR CONSIDERATION AND POSSIBLE ACTION TO ACCEPT PETITION FOR VOLUNTARY ANNEXATION INTO THE CITY OF FULSHEAR, TEXAS, A 1.901 ACRE TRACT OF LAND SUBMITTED BY MGJ HOLDINGS, LP. IT WAS SECONDED BY ALDERMAN GILL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE

C. **CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE No. 2012-1058 an ORDINANCE of the CITY of FULSHEAR REPEALING and REPLACING ORDINANCE NO. 06-939A CONCERNING SIGNS within the CITY LIMITS and ETJ of CITY of FULSHEAR**

A MOTION WAS MADE BY ALDERMAN GILL TO APPROVE ORDINANCE NO. 2012-1058 AN ORDINANCE OF THE CITY OF FULSHEAR REPEALING AND REPLACING ORDINANCE NO. 06-939A CONCERNING SIGNS WITHIN THE CITY LIMITS AND ETJ OF CITY OF FULSHEAR. IT WAS SECONDED BY ALDERMAN BEUSTRING. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE

D. **CONSIDERATION and POSSIBLE ACTION to APPROVE INTER-LOCAL AGREEMENT for ADMINISTRATION of MUNICIPAL ELECTIONS with FORT BEND COUNTY for the MAY 12, 2012 ELECTION**

TIM KIRWIN, ASSOCIATE CITY ATTORNEY, STATED A FEW CORRECTIONS ARE NEEDED. HE STATED PAGE 2, SECTION IV-REFERS TO ATTACHMENT D AND THEN TO ATTACHMENT A; THE SECOND REFERENCE SHOULD BE TO ATTACHMENT D AS WELL NOT A. ALSO, PAGE 7 SECTION XVI- THE FIRST SENTENCE IS MISSING A PERIOD AFTER \$3, 755. ON PAGE 7, SECTION XVI-THE AMOUNT OWED WILL BE DETERMINED AFTER THE NOVEMBER 8, 2011 ELECTION; IT SHOULD BE YEAR 2012.

A MOTION WAS MADE BY ALDERMAN ROBERTS TO APPROVE INTER-LOCAL AGREEMENT FOR ADMINISTRATION OF MUNICIPAL ELECTIONS WITH FORT BEND COUNTY FOR THE MAYOR 12, 2012 ELECTION SUBJECT TO THE CORRECTIONS CITED BY THE ASSOCIATE CITY ATTORNEY, TIM KIRWIN. IT WAS SECONDED BY ALDERMAN COLLINS. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE

**E. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2012-1062 an ORDINANCE of the CITY of FULSHEAR CALLING an ELECTION for MAY 12, 2012 to be ADMINISTERED by FORT BEND COUNTY**

*A MOTION WAS MADE BY ALDERMAN GILL TO APPROVE ORDINANCE NO. 2012-1062 AND ORDINANCE OF THE CITY OF FULSHEAR CALLING AN ELECTION FOR MAY 12, 2012 TO BE ADMINISTERED BY FORT BEND COUNTY. IT WAS SECONDED BY ALDERMAN BEUSTRING. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE*

**F. CONSIDERATION and POSSIBLE ACTION to APPROVE DEVELOPMENT AGREEMENT with FULSHEAR LAND INVESTMENT PARTNERS concerning FULSHEAR CREEK TRACE**

*MAYOR KUYKENDALL EXCUSED HIMSELF. MAYOR PRO TEM, J. B. COLLINS, RESIDED OVER THIS ITEM.*

*A MOTION WAS MADE BY ALDERMAN GILL TO APPROVE DEVELOPMENT AGREEMENT WITH FULSHEAR LAND INVESTMENT PARTNERS CONCERNING FULSHEAR CREEK TRACE. IT WAS SECONDED BY ALDERMAN BEUSTRING. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE*

**G. CONSIDERATION and POSSIBLE ACTION to FULSHEAR CREEK CROSSING: FULSHEAR CREEK TRACE/ FINAL PLAT**

*MAYOR KUYKENDALL EXCUSED HIMSELF. MAYOR PRO TEM, J. B. COLLINS, RESIDED OVER THIS ITEM.*

*A MOTION WAS MADE BY ALDERMAN BEUSTRING TO APPROVE FULSHEAR CREEK CROSSING:FULSHEAR CREEK TRACE/ FINAL PLAT. IT WAS SECONDED BY ALDERMAN ROBERTS. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE*

**H. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2012-1063 an ORDINANCE AMENDING ORDINANCES, 01-865 regarding the NUMBER of PLANNING and ZONING COMMISSION MEMBERS PROVIDING for the CREATION EX-OFFICIO and EMERITUS POSITIONS**

*MAYOR KUYKENDALL RESUMED CHAIRING THE COUNCIL MEETING.*

*MAYOR STATED THIS WILL ALLOW FOR EXTRA NON-VOTING MEMBERS.*

*A MOTION WAS MADE BY ALDERMAN BEUSTRING TO APPROVE ORDINANCE NO. 2012-1063 AND ORDINANCE AMENDING ORDINANCES, 01-865 REGARDING THE NUMBER OF PLANNING AND ZONING COMMISSION MEMBERS PROVIDING THE CREATION EX-OFFICIO AND EMERITUS POSITIONS. IT WAS SECONDED BY ALDERWOMAN PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE*

**I. CONSIDERATION and POSSIBLE ACTION to APPOINT PLANNING and ZONING COMMISSION MEMBERS to FILL VACANCIES**

\_\_\_\_\_ A MOTION WAS MADE BY ALDERMAN GILL TO APPOINT BILL ARCHER AND TERRY KOZART TO FILL THE VACANIES ON THE PLANNING AND ZONING COMMISSION. IT WAS SECONDED BY ALDERMAN BEUSTRING. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE

**J. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2012-1064 an ORDINANCE of the CITY of FULSHEAR RATIFYING the CREATION of the CITY ADMINISTRATOR POSITION**

A MOTION WAS MADE BY ALDERMAN BEUSTRING TO APPROVE ORDINANCE NO. 2012-1064 AND ORDINANCE OF THE CITY OF FULSHEAR RATIFYING THE CREATION OF THE CITY ADMINISTRATOR POSITION. IT WAS SECONDED BY ALDERMAN COLLINS.

MAYOR KUYKENDALL STATED THAT THREE YEARS AGO A COMMUNITY MEETING WAS HELD AND THAT ONE OF THE GOALS WAS TO HIRE A CITY ADMINISTRATOR. HE STATED THAT C.J. COMING TO THE CITY HAS BEEN A GREAT ASSET.

THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE

**K. CONSIDERATION and POSSIBLE ACTION to APPROVE LISTING of SURPLUS VEHICLE and EQUIPMENT for SALE via ONLINE AUCTION and APPROVAL of LISTING of CERTAIN ITEMS as SALVAGE for DISPOSAL**

A MOTION WAS MADE BY ALDERMAN COLLINS TO APPROVE LISTING OF SURPLUS VEHICLE AND EQUIPMENT FOR SALE VIA ONLINE AUCTION AND APPROVAL OF LISTING OF CERTAIN ITEMS AS SALVAGE FOR DISPOSAL. IT WAS SECONDED BY ALDERWOMAN PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE

**L. CONSIDERATION and POSSIBLE ACTION to APPROVE BID SPECIFICATIONS and BID ANNOUNCEMENT for STAND PIPE REPAIRS**

A MOTION WAS MADE BY ALDERMAN GILL TO APPROVE BID SPECIFICATIONS AND BID ANNOUNCEMENT FOR STAND PIPE REPAIRS. IT WAS SECONDED BY ALDERMAN ROBERTS. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE

**M. CONSIDERATION and POSSIBLE ACTION to APPROVE BID SPECIFICATIONS and BID ANNOUNCEMENT for NEW WATER PUMP and FULSHEAR WATER PLANT**

*A MOTION WAS MADE BY ALDERMAN GILL TO APPROVE BID SPECIFICATIONS AND BID ANNOUNCEMENT FOR NEW WATER PUMP AND FULSHEAR WATER PLANT. IT WAS SECONDED BY ALDERMAN ROBERTS. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE*

**N. CONSIDERATION and POSSIBLE ACTION to APPROVE PROPOSAL from KING CONSTRUCTION for PROFESSIONAL SERVICES on DRAINAGE REPAIRS and MAINTENANCE**

*A MOTION WAS MADE BY ALDERMAN ROBERTS TO APPROVE PROPOSAL FROM KING CONSTRUCTIONS FOR PROFESSIONAL SERVICES ON DRAINAGE REPAIRS AND MAINTENANCE FOR THE SUM OF \$10,000.00. IT WAS SECONDED BY ALDERMAN BEUSTRING.*

*MAYOR KUYKENDALL STATED THAT WE ARE AT THE MERCY OF THE COUNTY. HE STATED THAT THE DITCHES NEED TO BE CLEANED OUT. HE STATED HE HAD A SURVEY OF THE DOWNTOWN AND THIS COMPANY THINKS THAT RE-GRADE OF THE DITCHES AND RESET A COUPLE OF THE CULVERTS WILL ASSIST WITH THE DRAINAGE PROBLEM. MAYOR KUYKENDALL STATED WE WILL START HERE AND SEE HOW IT GOES AND IF DESIRED RESULTS ARE ACHIEVED, WE WILL CONTINUE WITH THE PROCESS THROUGHOUT THE CITY.*

**IX. ADJOURNMENT**

*A MOTION WAS MADE BY ALDERMAN COLLINS TO ADJOURN AT 8:16 P.M. IT WAS SECONDED BY ALDERWOMAN PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: ALDERMAN BEUSTRING, COLLINS, GILL, ROBERTS, AND ALDERWOMAN PATTERSON  
NAYS: NONE*

*MAYOR KUYKENDALL STATED WE ARE ADJOURNED.*

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*MAYOR- THOMAS C. KUYKENDALL, JR.*

*ATTEST:*

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*CITY SECRETARY – D. (DIANA) GORDON OFFORD*