



# CITY OF FULSHEAR

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

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

*A regular City Council Meeting of the Fulshear City Council was called to order by Mayor, Thomas C. Kuykendall, Jr. at 7:00p.m. Thursday, May 17, 2012 at 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*

#### **Staff Present:**

*D. (Diana) Gordon Offord, City Secretary  
C. J. Snipes, City Administrator  
J. Grady Randle, City Attorney  
Kristina Brashear, Finance Director  
Elaine Brown, Contract Court Clerk  
Michelle Kirchner*

#### **Others Present:**

*30 Attendees signed in and approximately  
10-12 others who did not sign in*

### II. **QUORUM**

*A quorum was present.*

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

*The invocation was given by Pastor Alicia Coltzer of the First United Methodist Church, Fulshear, Texas.*

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

*The Pledge of Allegiance was led by Mayor Kuykendall.*

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

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*James Kerch stated he would like to know if there was any regulations about the discharging on firearms on your own property.*

*Owen BeMent stated he supports the zoning ordinance and he is patiently awaiting the vote. He also states he did not see the agenda posted on the website 72 hours before the meeting and thinks we need to tighten up bit or you all maybe in jail as it is State Law that it must be 72 hours before the meeting (at least when he served on Council). He also seeking information about the surveying here in town as he was told it was for the West Park Toll way coming downtown Fulshear.*

*Frances Smart stated she lives off Bois D' Arc and her concern is that a surveying crew stated they were measuring for 1,000 feet of roadway and she received a call at her office concerning this issue and would like to know what is going on. Ms. Smart stated we have already allowed for the bus barn and if the Toll way is coming to town and taking that much roadway (would be devastating to businesses in town) and we cannot allow that to happen. Ms. Smart stated she would like some information.*

*Frances Delacruz stated that she would like to comment concerning "zoning" once we reached this item on the agenda.*

*Ella Banks decline to speak.*

*Viola Randle stated she would comment concerning "9H" (on zoning) once we reached item on the agenda.*

*Jason Grace stated that he is against zoning and that he wants someone to respond regarding manufactured homes or trailer whether Council has the right to restrict a mobile home being brought in (someone can clarify).*

*Mayor Kuykendall asked if there was anyone else who has a public comment. The audience was silent. Mayor Kuykendall announced that he wanted to hold up on agenda item six (6) (organizational matters) as he is awaiting the arrival of Judge Crow who will perform the swearing in the elected officials.*

**VI. ORGANIZATIONAL MATTERS**

**A. CONDUCT OFFICIAL CANVASS OF MAY 12, 2012 CITY OF FULSHEAR GENERAL ELECTION AND CONSIDER ACCEPTANCE OF ELECTION RESULTS**

*Mayor Kuykendall read the following canvassing report aloud. We have a canvassing letter from Fort Bend County and it states: "I, John Oldham, Election Administrator for Fort Bend County Texas do certify that the following are true and accurate statement of the votes cast in various precincts of Fort Bend County for the General Election held on May 12, 2012 on behalf of the City of Fulshear. "*

*The City of Fulshear was electing a Mayor and Three (3) Aldermen's. "The official canvass of the returns of the General Election held May 12, 2012 reflects that the following persons received the number of votes set opposite their name: (Read Aloud by Mayor Kuykendall)*

*Thomas C. Kuykendall,Jr.....120 only candidate for Mayor and for Alderman/selecting 3.*  
*Larry Beustring.....88*  
*Jeff Roberts.....115*

Laverne Patterson.....107

Gwendolyn Fox.....78

So the results for the three (3) Aldermen selected are Larry Beustring, Jeff Roberts, and Laverne Patterson.

**B. CONSIDERATION AND POSSIBLE ACTION ON ORDINANCE 2012-1068 AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 12, 2012 FOR THE PURPOSE OF ELECTING MAYOR AND THREE ALDERMEN TO THE CITY COUNCIL OF THE CITY OF FULSHEAR**

A motion was made by Alderman Gill to approve Ordinance 2012-1068 an ordinance canvassing the returns and declaring the results of the General Election held on May 12, 2012 for the purpose of electing Mayor and three Aldermen to the City Council of the City of Fulshear. 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

**C. CONDUCT OATH OF OFFICE FOR ELECTED CITY COUNCIL MEMBERS**

Judge Crow administered the oath to all the elected officials and obtained signatures on the appropriate documents.

**D. CONSIDERATION AND POSSIBLE ACTION TO ELECT A MAYOR PRO-TEM**

Mayor Kuykendall states this is a function that I have an opportunity to rotate around and that he has discussed this with Alderman Collins and thinks he has his backing on this. Stephen has really stepped up to the plate and he would like to recommend him as Mayor Pro Tem. He stated Stephen has taken an active role in organizing the Emergency Management and organized our citizens as a response team and has served as the City's finance officer.

A motion was made by Alderman Beustring to nominate Stephen Gill as the Mayor Pro Tem. It was seconded by Alderman Collins. The motion was carried by the following vote:

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

Nays: None

**E. RECESS TO HONOR ELECTED OFFICIALS**

Mayor Kuykendall announced that we will take a break and celebrate with the elected officials and we have cookies and punch in the back. Recess begin at 8:52 p.m. and we will resume the meeting in about 15 minutes.

**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 APRIL 10 AND APRIL 17, 2012 MEETINGS**

**B. CONSENT AND APPROVAL OF PAYABLES FROM APRIL 18, 2012 THROUGH MAY 11, 2012**

**C. CONSENT and APPROVAL of CROSS CREEK RANCH: CREEK BEND AT CROSS CREEK RANCH-SECTION 6 FINAL PLAT**

**D. CONSENT and APPROVAL of CROSS CREEK RANCH: CREEK BEND AT CROSS CREEK RANCH-SECTION 10 PRELIMINARY PLAT**

*A motion was made by Alderman Gill to approve the consent agenda. It was seconded by Alderwoman Patterson. Mayor Kuykendall asked if there were any questions or comments.*

*Alderman Beustring asked about the tire purchase. Kristina Brasher, Finance Director, stated that the purchase on the tires were for the 2009 charger and not the 2011 charger.*

*Alderman Collins questioned the additional payable sheet handout at the meeting regarding the 436.80 charge. Ms. Brasher explained that this was the re-cycling charges for old computers, TVs, etc.*

*Alderman Collins next inquired about the charge for North Fort Bend Authority. Ms. Brasher stated she received the correct invoice for old town but there was a question on the amount for Cross Creek and now she has the correct figure which is \$21, 117.00.*

*Alderman Collins next question was regarding the copiers rental vs. purchase. Ms. Brasher explained that new technology comes available all the time and rental is more beneficial as it includes repairs, maintenance as needed, or replacement if necessary.*

*Mayor Kuykendall stated we have a motion and second on the floor and call for a vote. The motion was carried by the following vote:*

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

*Nays: None*

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

*C. J. Snipes, City Administrator, stated that Southwest Water called stated they did not have a representative for tonight. He stated to Council if anyone had any questions, he would try to answer.*

*Mayor Kuykendall stated that you will notice on the agenda tonight, there is a request to advertise for this service. There were no comments or questions from the Council.*

**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 required.*

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

*A report from the Municipal Court Department was presented by Elaine Brown, contracted Court Clerk. No action required.*

**D. REPORT from the BUILDING OFFICIAL (Permits, Appointments)**

*A report from the Building Service Department was presented by Michelle Kirchner, Building Inspector. No action was required.*

**IX. BUSINESS**

**A. PRESENTATION of PROCLAMATION in RECOGNITION of BUILDING SAFETY MONTH**

*Mayor Kuykendall presented a proclamation to the City's Building Inspector, Michelle Kirchner, recognizing the month of May' 2012 as Building Safety Month. Mayor Kuykendall read the proclamation out loud.*

**B. PRESENTATION on AUTOMATED TICKET WRITING SYSTEMS by BRAZOS TECHNOLOGY**

*Chief Seymour explained the need for this electronic device as it will save time for the police officers and city staff and be more accurate and efficient. Chief Seymour pointed out that an officer on side of road with not much shoulder ( this device would help ensure safety for the officer and cut down on time for them standing on the side of the road).*

*Laurie Bain, representative for Brazos Technology, gave an overview to the Council regarding this device and shared a 20-minute video how the electronic device is used. She stated it is an electronic citation system that can connect to any existing system and can run on any device with a Microsoft operating system. She stated that it would reduce time spent on writing tickets, eliminate data entry errors on citation, easy to operate, and not much training required to operate the device.*

*Elaine Brown and D. Gordon Offord also spoke in support of this device.*

**C. CONSIDERATION and POSSIBLE ACTION on APPEAL from CLOVER TOOL regarding SIGNAGE VARIANCE REQUEST DENIED by PLANNING and ZONING COMMISSION**

*Mayor Kuykendall asked the building inspector, Michelle Kirchner, to share some of background on this item. Ms. Kirchner stated that this sign is our "ETJ". The sign was built without receiving approval from the City. They went before the Planning and Zoning Commission to ask for a variance but was denied. Now they are appealing that decision before City Council. They are at the point where they need to correct the sign, obtain a variance, and also they were ask to cover the sign(until a decision) which we ask them to do and this was done.*

*John Clover introduce himself as the owner of Clover Tool. He stated that he has offices in Singapore and the Philippines. He stated that he gets visitors from all over the world (Australia, China, India, etc.) and that why the sign is needed. Mr. Clover stated he wanted to clarify something's in the letter that he thinks Ms. Kirchner was unaware of when she wrote the letter. Mr. Clover pointed out in the letter (wrote in April /dated 4-2-2012) received from Ms. Kirchner, that the dimensions were 8 inches over the height and 3ft over...Michelle I thought. Ms. Kirchner explained that the (original) sign company brought in different dimensions to the City but the new sign company actually built the sign smaller but it is still out of compliance with the sign ordinance. The letter states she spoke with a representative of Clover Tool but that information is not accurate and Michelle had no way of knowing this but it was not a representative of Clover Tool but the contractor. It was Jim Weaver, a contractor who received copies of the statue (referring to the ordinance) (Mr. Clover stated he was out of country during this period). Also, this contractor did not build the sign---it was contracted to someone else (another sign company) and the information never got passed forward. Mr. Clover stated that he was not trying to ignore the City nor avoid the City's rules and regulations. Mr. Clover states that the second paragraph states we*

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*were issued summons and yet to respond that is because they were sent to wrong address and we never received them. C. J. Snipes stated that the paperwork of summons was at the City's Attorney office. Michelle Kirchner stated that all of that has been taken care of after she sent a second letter. It was found that the first letter went to a previous address of Clover Tool.*

*Patrick Pogue, representative for Clover Tool, also brought in information to share with Council. He had a letter from the original sign company detailed the events about the construction of the sign at Clover Tool. The original sign company stated that they had contacted the City of Fulshear several times and assured Mr. Pogue that no permits were required from the City of Fulshear. Mr. Pogue stated he relied strictly on the sign company (supposed to be reputable company and they had built the City of Fulshear signs) to adhere to all local and state regulations and admits that was a mistake.*

*Michelle Kirchner stated at the Planning Commission Meeting that the Sign Company admitted that they assumed there was no permit required from the City of Fulshear. Ms. Kirchner stated they never admitted that they called the City.*

*Mr. Pogue stated that he wanted to make known that he was not trying to ignore any regulation...This was just an honest mistake.*

*Mr. Clover stated that a resolution to this situation would be a variance. He stated if we can modify the sign or try to alternate it by shaving 12 inches off the sides as this would distort the sign, make look out of balance and awkward. He stated he would appreciate it if he would not have to do this. He is requesting a variance from City Council.*

*Mr. Clover stated that he has a list of signs within Fulshear City limits that are out of compliance and two of them are the "City of Fulshear" signs themselves and more out of compliance than his sign and he gave a copy to each Council Member. Mr. Clover states the back page identifies the sign out of compliance and now much. Mr. Clover states that his sign is the least out of compliance. He stated these other signs seem to have gotten a variance and he is asking for the same thing. He thinks he has an attractive sign and supplied comments to that effect. Mr. Clover stated through no fault of his own is in this situation and it will be up to you ladies and gentlemen how we get out of it.*

*Alderman Beustring stated he was at the last Planning And Zoning Meeting which Mr. Clover stated it was not his fault nor the City's. At that time you stated you gave it to some people we relied on and they did not follow through. You asked if you were 2 feet over and was going back to take it off. Alderman Beustring stated that was about a month ago.*

*Mr. Pogue answered "yes" and that they have a sign person ready to go to make the adjustment pending this decision today.*

*Mr. Clover pleaded that a variance be given and while a decision is being made (\$30,000.00 sign looks worst covered up) and asked for permission that his sign be uncovered.*

*Alderwoman Patterson asked if he would be taking off the same amount on both sides. Mr. Clover responded yes but it will have an imperfect look. Michelle Kirchner stated that the sign will look out of balance with the modification.*

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*Alderman Roberts asked if plans was brought into the City when the building itself was constructed. Michelle Kirchner stated no. Alderman Roberts stated then the City's only jurisdiction was on the sign. The answer was yes. Michelle Kirchner stated Clover Tool has a sign on the front of the building and it is correct –we only dealing with the monument sign. Alderman Roberts asked how long did it take to build the sign. Mr. Pogue responded 7-10 days.*

*Mr. Pogue stated he wanted to address the guidelines for granting a variance. He stated that they diligently tried to follow the guidelines. Previous contractor got them into this situation and they are trying to rectify it. He stated that if they have to reduce the sign it will infringe on their property rights. If this variance is granted, it want be detrimental to the public's welfare and the existing sign does not*

*impose any threat to the public welfare and don't know of anyone that has come forth to complain about the sign.*

*Mr. Clover made a plea to have the sign uncovered. He stated he had ten- twelve foreign visitors come to town and several individuals stated they passed the business three times before finding it.*

*Mayor Kuykendall thanked Clover Tool for coming in to try to resolve this issue. He stated he wants to do things uniformly and backed the system we have in place.*

*Alderman Gill commended the gentlemen on doing their homework in terms of researching the sign ordinance. He stated he does not like granting variances. He stated the alternate is shaving the sign which would alternate its appearance and currently you have a good looking sign. Alderman Gill stated that many mishaps has occurred and that he makes a motion that the variance be granted to Clover Tool on signage. It was seconded by Alderman Roberts.*

*Alderman Collins asked who did the investigation on the signs. Mr. Pogue stated he did.*

*C. J. Snipes stated that all of the signs were grandfather in and that Weston Lakes signs are outside of City's jurisdiction and the only variance was given to "Dekker's". He stated that the City is not beholding to its own ordinances.*

*Mayor Kuykendall commented that we don't get into habit that we missed something in past and becomes open season...this is what we are trying to prevent. He stated that the Bluebonnet that on the south side of the road was allowed larger sign due to their location but cannot speak to whether they were constructed according to the approval granted. He stated we do not want to get off on slippery slope.*

*Alderman Beustring asked if we allow for the cover to come off.....how long would it take to modify the sign?*

*Mr. Clover repeated that the sign would look awkward and also could weakened the structure. Michelle Kirchner stated they would have six months to make the correction.*

*Alderman Beustring stated that he has listened and understands it not their (Clover Tool) fault but it is not the City's fault but it was the people who you hired. Alderman Beustring expressed that the*

*company need to fix it and get it reinforced and whatever. Probably, if we allow you to have variance, we have someone tomorrow asking for the same thing. Alderman Beustring states that a line has to be drawn somewhere and sign variance should not be an option but abide by the City's Sign Ordinance. Mayor Kuykendall called for a vote if there are no more comments.*

*Mr. Clover stated that according to the ordinance each application for variance will be decided on its own merit. He states anyone coming after that decision regarding his company being granted a variance should not impact request for others.*

*Alderman Beustring stated that you can fix the sign so it will hold up to wind and so forth.*

*Mr. Clover stated it could be done but at whose expense.....ours or theirs. He thanked Alderman Beustring for his thoughts.*

*Alderwoman Patterson stated she was fine with given variance and that each variance would be handled on case by case basis.*

*Mayor Kuykendall stated we have a motion to approve the variance and second on the floor.*

*The motion was carried by the following vote:*

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

*Nays: Alderman Beustring*

*Mayor Kuykendall announced that if Council has no objections, he would like to move back to Organizational Matters as we now have a Judge in the house. Council Agreed.*

**D. CONSIDERATION and POSSIBLE ACTION TO APPROVE PROVISION for PROFESSIONAL AUDIT SERVICES to REVIEW ACCOUNTING ISSUES associated with WATER and WASTE WATER SERVICES operated by SOUTHWEST WATER**

*Kristina Brashear, Finance Director, stated she has been unable to get a correct report from Southwest Water Company. Information sent to her from the bookkeeper at Southwater Company and the bank statement does not match. She has been trying for several months to resolve this issue but has not been successful. Ms. Brasher is recommending an audit be initiated. Ms. Brasher stated she is having to do extra accounting procedure as she is unsure of which information is correct.*

*C. J. Snipes, City Administrator, agrees. Also, it is the City's plan to charge back the cost of the audit to Southwest Water Company- no idea of what the cost will be until the audit is completed.*

*A motion was made by Alderman Gill to approve provision for Professional audit services to review accounting issues associated with water and waste water services operated by Southwest Water Company.*

*Alderman Gill was concerned that we need to recover our expenses as result of this audit as it could impact our budget.*

*Mayor Kuykendall stated we have a motion and seconded to approve .....all in favor .....say aye*

*The motion was carried by the following vote:*

Ayes: Aldermen Beusting, Collins, Gill, Roberts, and Alderwoman Patterson  
Nays: None

**E. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. 2012-196 APPOINTING MEMBERS to the CITY of FULSHEAR 4B DEVELOPMENT CORPORATION**

Mayor Kuykendall announced that Mike Murname, Larry Beusting, and Mandi Leary terms will be expiring and they all would like to continue to serve on the 4B City of Fulshear Development Corporation. Mayor Kuykendall makes a recommendation to the Council to re-appoint Mike Murname, Larry Beusting, and Mandi Leary to the board.

A motion was made by Aldermen Collins to approve Resolution No. 2012-196 appointing members (Members: Larry Beusting, Mike Murname, and Mandi Leary) to the City of Fulshear 4B Development Corporation. It was seconded by Alderman Roberts. The motion was carried by the following vote:

Ayes: Aldermen Beusting, Collins, Gill, Roberts, and Alderwoman Patterson  
Nays: None

**F. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. 2012-197 APPOINTING MEMBERS to the CITY of FULSHEAR 4A DEVELOPMENT CORPORATION**

Mayor Kuykendall announced that we have two terms expired. The two existing members are (Bill Archer and Cheryl Stalinsky) on the 4A Board. He stated that Bill Archer would like to continue to serve and he will let C. J. Snipes speak regarding Cheryl Stalinsky term.

C. J. Snipes, City Administrator, states not appropriate to have City staff serve on boards that are under the City's direction and that one application has been received from Evelyn Fotjik who would like to serve on the 4A board. He stated he had discussed this situation with Ms. Stalinsky earlier.

A motion was made by Alderman Collins to approve Resolution No. 2012-197 appointing members (Members: Bill Archer and Evelyn Fotjik) to the City of Fulshear 4A Development Corporation. It was seconded by Alderwoman Patterson. The motion was carried by the following vote:

Ayes: Aldermen Beusting, Collins, Gill, Roberts, and Alderwoman Patterson  
Nays: None

**G. CONSIDERATION and POSSIBLE ACTION to APPROVE the 2012 TAX COLLECTION AGREEMENT between the CITY and FORT BEND COUNTY TAX ASSESSOR COLLECTORS OFFICE**

A motion was made by Alderman Gill to approve the 2012 Tax Collection Agreement between the City and Fort Bend County Tax Assessor Collectors office. It was seconded by Alderman Beusting. The motion was carried by the following vote:

Ayes: Aldermen Beusting, Collins, Gill, Roberts, and Alderwoman Patterson  
Nays: None

**H. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2012-1069 an ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, PROVIDING RULES AND REGULATIONS OF LAND USE, STRUCTURES, BUSINESSES, AND RELATED ACTIVITIES WITHIN THE TERRITORIAL LIMITS OF THE CITY OF FULSHEAR, TEXAS, PROVIDING FOR PROVIDING A PENALTY; AND PROVIDING FOR SEVERABILITY.**

*Mayor Kuykendall stated we have been working on this process for five (5) months now. It has been through the Planning and Zoning Commission and there have been several modification to the ordinance. It has been to City Council and we have had two public hearings and public workshop trying to iron out all the deficiencies in the ordinance. I think we need to discuss it and hopefully we can take a vote on it. Mayor Kuykendall stated he has heard rumors about different businesses ( e.g. impound yard moving into downtown area) want to come into town and now we have no protection/or control. If it passes, this will help us control growth coming into the area; but if we don't the only thing we can say if undesirable businesses come in (e.g. gravel pit wanting to move in in the Bois D'Arc) that we should have passed the ordinance before this occurred. Mayor Kuykendall opened it up for comments/ and or questions. Mayor Kuykendall stated we have two people who wanted to speak on this issue.*

*A lady from the audience asked is this for us or someone trying to come in. C. J. Snipes stated that it applies to everyone within city limits. He stated for example that if he wanted to put in bar or junk yard next door to her residential.....can do so but if zoning was in place, the person wanting a bar would have to come into City Hall for a special permit. Mr. Snipes stated with zoning, we are trying to give limited protection to property owners but with that restrictions come too.*

*Mayor Kuykendall stated that the downtown falls into a three tier hierarchy .....preferred businesses, residential (lady from audience interrupted and did not finish).*

*The lady from the audience stated she has a mobile home downtown and we were granted in with this mobile home. I am in the process of getting a mobile home; how will zoning affect this.*

*C. J. Snipes stated that under zoning, the lady is entitle to replace the mobile home once under the ordinance and every time under a natural disaster such as hurricane, acts of God, whatever. You can replace only one time voluntarily.*

*Alderwoman Patterson asked if other mobile homes can be placed in the downtown district. C. J. Snipes stated "no" only in the special mobile home district.*

*Alderman Roberts asked if there is any law stopping the placement of mobile homes before the ordinance is passed. The answer was "no". But after the ordinance is passed, this will not be allowed. C. J. Snipes stated you are correct.*

*Ms. Randle decline to speak.*

*City Attorney, J. Grady Randle, stated that the blanks in the ordinance are for dates and he will insert them if the ordinance is passed tonight and also that the comprehensive plan will be notified as coming later in 2012 and on page 18 there is an issue regarding parking lots (document contains only concrete but it you want to add asphalt, to please let him know.*

*There was a short discussion between the City Attorney and the Building Inspector about the use of asphalt on parking lots.*

*A motion was made by Alderman Gill to approve Ordinance No. 2012-1069 an ordinance of the City of Fulshear, Texas providing rules and regulations of land use, structures, businesses, and related activities within the territorial limits of the City of Fulshear, Texas providing for providing a penalty; and providing for severability. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

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

**I. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2012-1070 APPROVING ANNEXATION for a 1.901 ACRE TRACT of LAND SUBMITTED by MGJ HOLDINGS, LP in CONJUNCTION with a VOLUNTARY ANNEXATION into the CITY of FULSHEAR, TEXAS**

*A motion was made by Alderman Roberts to approve Ordinance No. 2012-1070 approving and adopting annexation for a 1.901 acre tract of land submitted by MGJ Holdings, LP in conjunction with a Voluntary Annexation into the City of Fulshear, Texas. It was seconded by Alderwoman Patterson. The motion was carried by the following vote:*

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

**J. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2012-1071 an ORDINANCE AMENDING ORDINANCE NO. 2012-1058 regarding SIGNS CLARIFYING EXEMPTIONS for GOVERNMENT SIGNAGE**

*A motion was made by Alderman Beustring to approve Ordinance No. 2012-1071 an Ordinance amending Ordinance No. 2012-1058 regarding Signs clarifying exemptions for Government Signage. It was seconded by Alderman Gill. The motion was carried by the following vote:*

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

**K. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2012-1072 an ORDINANCE AMENDING CITY of FULSHEAR, TEXAS, ORDINANCE NO. 2011-1048 , being an ORDINANCE APPROVING and ADOPTING the CITY'S GENERAL BUDGET for FISCAL YEAR 2011-2012, by APPROVING "BUDGET AMENDMENT I" to the "ORIGINAL GENERAL BUDGET of the CITY of FULSHEAR, TEXAS, for the FISCAL YEAR 2011-2012"**

*A motion was made by Alderman Gill to approve Ordinance No. 2012-1072 and Ordinance amending City of Fulshear, Texas, Ordinance No. 2011-1048, being an Ordinance approving and adopting the City's General Budget for Fiscal year 2011-2012, by approving "Budget Amendment 1" to the "Original General Budget of the City of Fulshear, Texas, for the Fiscal Year 2011-2012". It was seconded by Alderman Beustring. The motion was carried by the following vote:*

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

**L. CONSIDERATION and POSSIBLE ACTION to APPROVE ISSUANCE of a REQUEST for QUALIFICATIONS for PROFESSIONAL WATER and WASTE WATER OPERATIONS SERVICES**

*A motion was made by Alderman Roberts to approve issuance of a Request for Qualifications for Professional Water and Wastewater Operations Services. It was seconded by Alderwoman Patterson. The motion was carried by the following vote:*

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

*Nays: None*

**M. CONSIDERATION and POSSIBLE ACTION to APPROVE STREET ACCEPTANCES for CROSS CREEK BEND LANE and SOUTH FRY ROAD; FLEWELLEN OAKS LANE from LODGE BLUFF LANE to SOUTH FRY ROAD; and CROSS CREEK BEND LANE from SOUTH FRY ROAD to BLANCO RIDGE LANE**

*A motion was made by Alderman Roberts to approve Street Acceptances for Cross Creek Bend Lane and South Fry Road; Flewellen Oaks Lane from Lodge Bluff Lane to South Fry Road and Cross Creek Bend Lane from South Fry to Blanca Ridge Lane. It was seconded by Alderman Collins. The motion was carried by the following vote:*

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

*Nays: None*

**N. CONSIDERATION and POSSIBLE ACTION to APPROVE STREET ACCEPTANCES for CREEK BEND at CROSS CREEK RANCH, SECTION 8 and CREEK BEND at CROSS CREEK RANCH, SECTION 3**

*A motion was made by Alderman Beustring to approve Street Acceptances for Creek Bend at Cross Creek Ranch, Section 8 and Creek Bend at Cross Creek Ranch, Section 3. It was seconded by Alderman Roberts. The motion was carried by the following vote:*

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

*Nays: None*

**O. CONSIDERATION and POSSIBLE ACTION to APPROVE UTILITY CONVEYANCES and SECURITY AGREEMENTS for CROSS CREEK BEND LANE EXTENSION NO. 4 and SOUTH FRY ROAD; WATER PLANT HYDROTANK ADDITION; CROSS CREEK BEND LANE EXTENSION NO. 5; FLEWELLEN OAKS (SOUTH) from LODGE BLUFF to SOUTH FRY ROAD; CREEK BEND at CROSS CREEK RANCH, SECTION NO. 8; CREEK BEND at CROSS CREEK RANCH, SECTION NO. 3 and FM 1463/ FM 1093 COMMERCIAL DEVELOPMENT NO. 1**

*A motion was made by Alderman Gill to approve Utility Conveyances and Security Agreements for Cross Creek Bend Lane Extension no. 4 and South Fry Road; water plant hydro tank addition; Cross Creek Bend Lane Extension no. 5; Flewellen Oaks (south) from Lodge Bluff to South Fry Road; Creek Bend at Cross Creek Ranch, Section No. 8; Creek Bend at Cross Creek Ranch, Section No. 3 and FM 1463/ FM 1093 Commercial Development No. 1. It was seconded by Alderman Roberts. The motion was carried by the following vote:*

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

**X. ADJOURNMENT**

*A motion was made by Alderman Collins to adjourn.....time 9:57 p.m. It was seconded by Alderman Roberts.  
The motion was carried by the following vote:*

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

*Mayor Kuykendall announced that we are now adjourn.*

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*Thomas C. Kuykendall, Jr.                      –Mayor*

*Attest:*

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