

# CITY OF FULSHEAR



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## FULSHEAR CITY COUNCIL MINUTES September 15, 2009

### **ITEM 1. CALL TO ORDER**

A regular meeting of the Fulshear City Council was called to order by Mayor, James W. Roberts at 7:08 p.m. Tuesday, September 15, 2009 in the Fulshear City Hall, 30603 FM 1093, Fulshear, Texas and all citizens were welcomed. A quorum was present.

### **MEMBERS PRESENT**

James W. Roberts, Mayor  
Dennis Clack  
J. B. Collins  
Stephen Gill

### **STAFF PRESENT**

Kristina Brashear, City Treasurer  
D. Gordon Offord, City Secretary

### **MEMBERS ABSENT**

Derek Einkauf  
Laverne Patterson

### **OTHERS PRESENT**

Bill Archer  
16 others who did not sign in

### **ITEM 2. INVOCATION**

A prayer was given by Pastor Nolan Donald, Word Serve United Methodist Church, Fulshear, Texas

### **ITEM 3. PUBLIC COMMENT(s)**

Bill Archer stated he would like to acknowledged "Hats Off" to the Police Department/Chief Head and Officer Seymour for their assistance during the power outage on Bois D 'Arc that occurred about two months ago. He stated that a wrecker truck had been ordered and the

power company notified. He stated within a short period of time all houses without power had been restored.

**ITEM 4. Approval of Minutes**

**Special Meeting, August 10, 2009**

**Regular Meeting August 18, 2009**

**Special Meeting, August 25, 2009**

A motion was made by Alderman Collins to approve the minutes as they were presented. It was seconded by Alderman Gill. The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, and Gill

Nays: None

Absent: Alderman Einkauf and Alderwoman Patterson

**ITEM 5. Consider and take action on checks paid and list of payables**

A motion was made by Alderman Gill to approve the checks paid and list of payables with the exception of Southwest Water Company regarding the sludge hauling. It was seconded by Alderman Collins. The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, and Gill

Nays: None

Absent: Alderman Einkauf and Alderwoman Patterson

**ITEM 6. Consider and take action to modify agreement between (Trendmaker) Municipal Utility District No. 170 and the City of Fulshear regarding Municipal Utility District (MUD) 170**

A motion was made by Alderman Gill to approve to modify agreement between (Trendmaker) Municipal Utility District No. 170 and the City of Fulshear regarding Municipal Utility District (MUD) 170. It was seconded by Alderman Collins. The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, and Gill

Nays: None

Absent: Alderman Einkauf and Alderwoman Patterson

Collin Pier, Project Manager for Trendmaker Homes, presented a service plaque to Scott Head and Cheryl Stalinsky for their help in planning a safe event at Cross Creek Ranch. He also has one for Herc Meier, Chief of Fulshear-Simonton Fire Department.

**ITEM 7. Consider and take action to authorize Mayor to sign agreement with Fort Bend County (Fort Bend County Road and Bridge Department) and City of Fulshear**  
**Caption: County agrees to assist City of Fulshear with certain governmental functions and services on a project by project basis (“the Project”)**

A motion was made by Alderman Collins to approve authorizing Mayor to sign agreement with Fort Bend County (Fort Bend County Road and Bridge Department) and City of Fulshear  
Caption: County agrees to assist City of Fulshear with certain governmental functions and services on a project by project basis (“the Project”). It was seconded by Alderman Gill. The motion was carried forward by the following vote:

Ayes: Aldermen Clack, Collins, and Gill  
Nays: None  
Absent: Alderman Einkauf and Alderwoman Patterson

**ITEM 8. Consider and take action on request from Brown & Gay Engineers, Inc.: Acting on behalf of the developer, Trendmaker Homes, Inc., request a twelve (12) month extension of the Preliminary Plat approval for Cross Creek Ranch Cross Creek Bend Lane Extension No. 2 and Cross Creek Ranch Llewellyn Way**

A motion was made by Alderman Collins to approve request from Brown & Gay Engineers, Inc.: Acting on behalf of the developer, Trendmaker Homes, Inc., request a twelve (12) month extension of the Preliminary Plat approval for Cross Creek Ranch Cross Creek Bend Lane Extension No. 2 and Cross Creek Ranch Llewellyn Way. It was seconded by Alderman Gill. The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, and Gill  
Nays: None  
Absent: Alderman Einkauf and Alderwoman Patterson

**ITEM 9. Consider and take action to approve the City of Fulshear 2008 Fiscal Year Annual Audit Report**

Scott Stephenson from the auditing firm PS Stephenson & CO.,P.C. gave an overview to the Council regarding City of Fulshear 2008 Fiscal Year Audit. He supplied each Council Member with a completed copy of the audit report. He stated there were no exceptions found. He stated that investments in CDs’ at the end of 2008 were 1.2 million. He suggested that the investments be staggered, update the Employee Personnel Handbook policy, and outline each department’s responsibility. He also suggested that a policy be developed to allow on-line banking and wire services. He offered to take questions. There were some questions asked.

A motion was made by Alderman Gill to accept the City of Fulshear 2008 Fiscal Year Annual Audit Reported as presented. It was seconded by Alderman Collins. The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, and Gill  
Nays: None  
Absent: Alderman Einkauf and Alderwoman Patterson

**ITEM 10. Consider and take action on Sign Permit: “Doggy Styles Pet Spa”/29802 FM 1093**

A motion was made by Alderman Gill to approve Sign Permit: “Doggy Styles Pet Spa”/29802 FM 1093. It was seconded by Alderman Collins. The motion was carried by the following vote:

Ayes: Aldermen ~~Clack~~, Collins, and Gill  
Nays: None  
Absent: Alderman Einkauf and Alderwoman Patterson  
**Correction: Alderman Clack voted nay**

**ITEM11. Consider and take action to approve addition to Subdivision Ordinance: Ordinance No. \_\_\_\_\_**

A motion was made by Alderman Gill to approve addition to Subdivision Ordinance: Ordinance No. \_\_\_ being revised to reflect street light requirement and operating cost for Subdivisions within the City limits of Fulshear, and adding Section N1, N2, and effective date. It was seconded by Alderman Collins. The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, and Gill  
Nays: None  
Absent: Alderman Einkauf and Alderwoman Patterson

**12. Consider and take action to authorize Mayor to sign agreement between the City of Fulshear and Fort Bend County**

**Caption: City of Fulshear appoints Fort Bend County its true and lawful purchasing agent for the purchase of certain materials and services through Fort Bend County’s purchasing program, as enumerated through the submission to Fort Bend County’s purchasing agent through a duly executed purchase order, order form or resolution.**

A motion was made by Alderman Collins to authorize Mayor to sign agreement between the City of Fulshear and Fort Bend County regarding Fort Bend County’s purchasing program. It was seconded by Alderman Gill. The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, and Gill  
Nays: None  
Absent: Alderman Einkauf and Alderwoman Patterson

**13. Consider and take action to appoint new designees and/or reappoint current designees to the H-GAC General Assembly**

**Caption: H-GAC's Bylaws provide each member general law city is entitled to designate one representative and one alternate to the H-GAC General Assembly**

Mayor Roberts stated the current designees are Alderwoman Patterson and Alderman Collins but he suggested appointing Alderman Collins and Alderman Gill as this year's designees.

A motion was made by Alderman Collins to appoint himself and Alderman Gill as designees to the H-GAC General Assembly. It was seconded by Alderman Clack. The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, and Gill  
Nays: None  
Absent: Alderman Einkauf and Alderwoman Patterson

**14. Consider and take action to approve additional funds from the Park Fund for final phase not to exceed \$5,000.00**

Larry Beustring who has headed the project regarding the Irene Stern Park stated that the amount is incorrect and the request should have stated \$27,282 to complete the purchase for Park equipment.

A motion was made by Alderman Gill to approve additional funds from the Park Fund for final phase not to exceed \$27,282.00. It was seconded by Alderman Collins. The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, and Gill  
Nays: None  
Absent: Alderman Einkauf and Alderwoman Patterson

**15. Consider and take action to authorize Mayor to sign the summary regarding write offs from the Tax Office**

**Caption: Summary of the 10/20 Year Write Off per Texas Property Tax Code Section 33.05  
“Limitation of Collection of Taxes”**

A motion was made by Alderman Collins to authorize Mayor to sign the summary regarding write offs from the Tax Office. It was seconded by Alderman Gill. The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, and Gill  
Nays: None  
Absent: Alderman Einkauf and Alderwoman Patterson

**16. Report from the Fulshear Municipal Court**

The Court Clerk report was given by Diana Gordon Offord, City Secretary.

**17. Report from the Fulshear Police Department**

The Police Report was given by Chief Scott Head.

**18. Consider and take action to authorize Police Chief Scott Head to open a bank account  
“Fulshear Police Department/State Seizure Fund Account/ and authorized signers on the  
account will be Scott Head, Kenny Seymour, and Stephen Gill**

**(Note: two signatures will be required to execute a check) and authorize City Treasurer to  
make inquiries and funds transfers.**

A motion was made by Alderman Collins to authorize Police Chief Scott Head to open a bank account “Fulshear Police Department/State Seizure Fund Account/ and authorized signers on the account will be Scott Head, Kenny Seymour, and Stephen Gill (Note: two signatures will be required to execute a check) and authorize City Treasurer to make inquiries and funds transfers. It was seconded by Alderman Gill. The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, and Gill  
Nays: None  
Absent: Alderman Einkauf and Alderwoman Patterson

**19. Consider and take action to approve the City of Fulshear Development Corporation (4A Corp) 2009/2010 budget)**

A motion was made by Alderman Collins to approve the City of Fulshear Development Corporation (4A Corp) 2009/2010 budget. It was seconded by Alderman Gill. The motion was carried by the following vote:

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Ayes: Aldermen Clack, Collins, and Gill  
Nays: None  
Absent: Alderman Einkauf and Alderwoman Patterson

**20. Executive Session**

**21. Reconvene into regular session**

Mayor Roberts announced that no executive session needed and called for a motion to adjourn.

**22. Adjourn**

A motion was made by Alderman Collins to adjourn. It was seconded by Alderman Gill.  
Mayor Roberts announced that we are now adjourning at 8:24 p.m.

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Mayor –James W. Roberts

ATTEST:

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City Secretary – D. (Diana) Gordon Offord