

CITY OF FULSHEAR



FULSHEAR CITY COUNCIL MINUTES June 15, 2010

ITEM 1. CALL TO ORDER

A regular meeting of the Fulshear City Council was called to order by Mayor, Thomas C. Kuykendall, Jr. at 7:03 p.m. Tuesday, June 15, 2010 in the Fulshear City Hall, 30603 FM 1093, Fulshear, Texas and all citizens were welcomed. A quorum was present.

MEMBERS PRESENT

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

STAFF PRESENT

J. Grady Randle, City Attorney
Kristina Brashear, Finance Director
Jeremy Young, Permit Officer
D. Gordon Offord, City Secretary
Cheryl Stalinsky, Comm. Development

MEMBERS ABSENT

Laverne Patterson

OTHERS PRESENT

Shannon Purcell
Jeremiah Purcell
Robert Becker
Judy Stallings
John LeBourhis
Gwen Fox
Randy Emery
Ramona Ridge
And 7-8 others who did not sign in

ITEM 2. INVOCATION

Reverend Gilmore of the Zachery Baptist Church unable to attend the meeting. The prayer was given by Mayor Thomas C. Kuykendall, Jr.

ITEM 3. PUBLIC COMMENT(S)

There were no public comments.

ITEM 4. APPROVAL OF MINUTES

Regular Meeting, May 18, 2010

A motion was made by Alderman Gill to approve the minutes with a correction on the name of the City Attorney. 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

ITEM 5. CONSIDER AND TAKE ACTION ON LIST OF PAYABLES AND CHECKS PAID

A motion was made by Alderman Gill to approve the list of payables and checks paid with the exception of charges for Bono Brothers for sludge hauling. It was seconded by Alderman Beustring.

Alderman Gill requested that these charges be removed from the list of payables until the issue of disputed charges has been resolved. All agreed.

Mayor Kuykendall called for a vote. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, and Roberts

Nays: None

Absent: Alderwoman Patterson

ITEM 6. REPORT FROM THE COURT CLERK (FEES AND FINES)

Elaine Brown, Court Clerk, presented her report to the Council. There were no comments from the Council.

Mayor Kuykendall announced that Larry Beustring and he presided on the Planning Commission for the month of June' 2010 in order not to hold up developers on plat approvals.

Alderman Beustring requested that item 7 and 8 be discussed together if there are no objections

7. CONSIDER AND TAKE ACTION ON PRELIMINARY PLAT/FIRETHORNE WEST SECTION 5

8. CONSIDER AND TAKE ACTION ON PRELIMINARY PLAT/FIRETHORNE WEST SECTION 6

A motion was made by Alderman Beustring to approve preliminary plat/ Firethorne West Section 5 and preliminary plat Firethorne West Section 6 subject to recommendations by City Engineer, David Leyendecker. 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

9. CONSIDER AND TAKE ACTION ON PRELIMINARY PLAT/FIRETHORNE WEST SECTION 21

10. CONSIDER AND TAKE ACTION ON PRELIMINARY PLAT/FIRETHORNE WEST SECTION 22

A motion was made by Alderman Beustring to approve preliminary plat/ Firethorne West Section 21 and preliminary plat Firethorne West Section 22 subject to recommendations by City Engineer, David Leyendecker and current land plan with access to the north. 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

11. CONSIDER AND TAKE ACTION ON SIGN PERMIT: LAS FLORES MEXICAN RESTAURANT/ 8525 FM 1093

A motion was made by Alderman Gill to approve Sign Permit: Las Flores Mexican Restaurant/ 8525 FM 1093. 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

12. CONSIDER AND TAKE ACTION TO APPROVE AND/OR ADOPT Amendment to Inter Local Agreement between the City of Fulshear and County of Fort Bend for the Collection of taxes

This Amendment shall be effective on the date the last party executes this Agreement and shall terminate on June 30, 2011.

City Attorney, Grady Randle, stated that this agreement is the final copy that was submitted to Fort Bend County Attorney Office but no response has been received yet. It is hoped that the Council will consider approving the wording on this document for final agreement pending response from Fort Bend County Attorney's office. Also, an agreement is due to the County by July 1, 2010.

A motion was made by Alderman ~~Collins~~ Gill to approve the amended agreement presented by City Attorney to Inter Local Agreement between the City of Fulshear and County of Fort Bend for the collection of taxes. This Amendment shall be effective on the date the last party executes this agreement and shall terminate on June 30, 2011. It was seconded by Alderman Collins. The motion was carried forward by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, and Roberts

Nays: None

Absent: Alderwoman Patterson

13. CONSIDER AND TAKE ACTION ON SIGN PERMIT: 8525 FM 359/edge of driveway of 359 entrance to shopping center

A motion was made by Alderman Gill to approve Sign Permit/8525 FM 359/edge of driveway of 359 entrance to the shopping center. 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

14. REPORT FROM THE POLICE DEPARTMENT (TRAFFIC CITATIONS, ARREST, INCIDENTS, CALLS FOR SERVICE)

Police Chief Scott Head presented to the Council the Fulshear Police Report for month of May, 2010. There were no questions.

15. CONSIDER AND TAKE ACTION TO APPOINT FOUR MEMBERS TO THE PLANNING COMMISSION: ROBERT BECKER, DEREK EINKAUF, DAVID WORLEY, AND STEVE ZWICK

A motion was made by Alderman Collins to appoint four members to the Planning Commission: Robert Becker, Derek Einkauf, David Worley, and Steve Zwick. 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 Derek Einkauf would be the Chairman of the Planning Commission.

ITEM 16. CONSIDER AND TAKE ACTION TO APPOINT STEPHEN GILL AS THE EMERGENCY MANAGEMENT COORDINATOR

A motion was made by Alderman Beustring to appoint Stephen Gill as the Emergency Management Coordinator. 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

17. CONSIDER AND TAKE ACTION TO ESTABLISH A BUSINESS INTEREST CHECKING LOCKBOX ACCOUNT WITH COMPASS BANK IN ACCORDANCE WITH THE TERMS OF OUR CURRENT DEPOSITORY AGREEMENT, FOR THE PURPOSE OF COLLECTING WATER, SEWER, AND GARBAGE COLLECTION FOR THE CITY OF FULSHEAR BUSINESS ENTERPRISE FUND.

Mayor Kuykendall requested the Finance Director, Kristina Brashear, discussed the reason for this action.

Ms. Brashear stated this would be the first step toward allowing the residents of old town Fulshear to do bill pay on line or pay their water and garbage bill at the local grocery store such as H.E.B., Kroger, etc. instead of by mail or driving to the satellite office at Sugarland.

A motion was made by Alderman Gill to approve establish a business interest checking lockbox account with compass bank in accordance with the terms of our current depository agreement, for the purpose of collecting water, sewer, and garbage collection for the City of Fulshear business enterprise fund. 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

18. EXECUTIVE SESSION

551.071 For the purpose of a private consultation with the City's attorney on any or all subjects matters authorized by law.

1. **Update on litigation, claims against the City.**

551.072 For the purpose of discussing the purchase, exchange, lease, or value of real property.

551.074 For the purpose of considering the appointment, employment, evaluation, reassignment duties, discipline, or dismissal of a public officer or employee.

1. **Consider hiring and accepting resignations of professional and non-professional personnel.**

-----DISCUSSION: REASSIGNING DUTIES FOR OFFICER LINDSEY MILLER AND DESIGNATING THE TIME PERIOD

Mayor Kuykendall announced that Council would enter into Executive Session at 7:35 p.m. and quorum was present.

19. RECONVENE INTO REGULAR SESSION

Mayor Kuykendall announced that Council is entered back into regular session at 7:58 p.m. and quorum was present.

20. CONSIDER AND TAKE ACTION ON ITEM(S) DISCUSSED DURING EXECUTIVE SESSION IF NECESSARY

Mayor Kuykendall asked if there was an action to be taken from Executive Session. Council Members stated, "No".

21. ADJOURN

A motion was made by Alderman Gill to adjourn. It was seconded by Alderman Collins. The motion was carried by the following vote:

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

Mayor's Signature – Thomas C. Kuykendall, Jr.

ATTEST:

City Secretary – D. (Diana) Gordon Offord