

CITY OF FULSHEAR



FULSHEAR CITY COUNCIL MINUTES January 19, 2010

ITEM 1. CALL TO ORDER

A regular meeting of the Fulshear City Council was called to order by Mayor, James W. Roberts at 7:00 p.m. Tuesday, January 19, 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
Laverne Patterson
Derek Einkauf
Stephen Gill

STAFF PRESENT

J. Grady Randle, City Attorney
Kristina Brashear, City Treasurer
D. Gordon Offord, City Secretary

MEMBERS ABSENT

None

OTHERS PRESENT

Larry Beustrsing
Carl Utley
Randy Emery
Doug Konopka
John Cannon
Creighton Holub
And 6 others who did not sign in

ITEM 2. INVOCATION

Message received from Reverend Gilmore that we would not be able to attend and expressed his apology. A prayer was given by Mayor James Roberts.

ITEM 3. PUBLIC COMMENT(s)

Mr. Doug Konopka stated there are several rumors regarding the restructure of FM 1093 and expressed that City Council should take a proactive approach with regards to this project. He thinks an expert should be hired to review the project and make recommendation that would bring the most value to the City of Fulshear.

ITEM 4. APPROVAL OF MINUTES

SPECIAL MEETING, DECEMBER 11, 2009

REGULAR MEETING, DECEMBER 15, 2009

A motion was made by Alderman Collins to approve the special meeting, December 11, 2009 and regular meeting, December 15, 2009 as presented. It was seconded by Alderman Patterson. The motion was carried by the following vote:

Ayes: Alderman Clack, Collins, Einkauf, Gill and Alderwoman Patterson

Nays: None

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

A motion was made by Alderman Einkauf to approve list of payables and checks paid as presented with the exception of disputed charges for Bono Brothers plus adding two payments for Mayor Expenses \$200.00 and Court Clerk, Elaine Brown \$500.00. It was seconded by Alderman Collins. The motion was carried by the following vote:

Ayes: Alderman Clack, Collins, Einkauf, Gill and Alderwoman Patterson

Nays: None

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

Court Clerk Report was presented to Council by Elaine Brown, Court Clerk for Fees and Fines for the month of December, 2009. There were no questions or comments.

ITEM 7. REPORT FROM THE POLICE DEPARTMENT (TRAFFIC CITATIONS, ARREST, INCIDENTS, CALLS FOR SERVICE)

Police Chief Head presented to the Council the Fulshear Police Report for the month of December, 2009.

ITEM 8. CONSIDER AND TAKE ACTION TO AUTHORIZE THE MAYOR TO SIGN UTILITY CONVEYANCE AND SECURITY AGREEMENT BETWEEN THE CITY OF FULSHEAR AND FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 1 *Caption: The District constructed the Facilities and is conveying the Facilities to the City pursuant to the Utility Agreement by and between the City and the District (the Utility Agreement). Sections 2.09 and 2.10 of the Utility Agreement require that the System (as defined therein) be conveyed to the City for ownership, operation and maintenance, subject to a security interest retained by the District.*

A motion was made by Alderman Einkauf to authorize the mayor to sign utility conveyance and security agreement between the City of Fulshear and Fulshear Municipal Utility District No. 1. It was seconded by Alderman Gill. The motion was carried by the following vote:

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

ITEM 9. CONSIDER AND TAKE ACTION ON SIGN PERMIT: REPLACEMENT SIGN FOR ESSENCE CAFÉ/8506 FM 359/FULSHEAR

A motion was made by Alderman Einkauf to approve Sign Permit: Replacement sign for Essence Café/8506 FM 359/Fulshear. It was seconded by Alderman Collins. The motion was carried by the following vote:

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

ITEM 10. CONSIDER AND TAKE ACTION TO ADOPT ORDINANCE NO. 2010-1002. Caption: An Ordinance of the City of Fulshear providing restrictions for commercial vehicles; providing for repeal of Ordinances in conflict; providing savings severability, effective date, and penalty clauses; and providing for related matters

There was some discussion among the Council. Mayor Roberts made a suggestion to table this item until further study can be done.

A motion was made by Alderman Einkauf to table. It was second by Alderman Clack. The motion was carried by the following vote:

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

ITEM 11. CONSIDER AND TAKE ACTION TO APPOINT A FLOOD PLAIN ADMINISTRATOR TO WORK WITH DESIGNATED FEMA STAFF

Mayor Roberts asked if there was any volunteers. Alderman Einkauf volunteered to be the Flood Plain Administrator.

A motion was made by Alderman Gill to appoint Derek Einkauf as Flood Plain Administrator to work with designated FEMA Staff. It was seconded by Alderman Collins. The motion was carried by the following vote:

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

(Alderman Collins volunteered to be a back-up person if one was necessary.)

ITEM 12. DISCUSSION: EMERGENCY SITUATIONS/PRESENTED BY J.B. COLLINS, MAYOR PRO - TEM

Alderman Collins addressed the Council and stated that he wanted the Council to take a proactive approach in responding to Emergency Situations. He stated that in reference to the cold snap and there were some families without heat. He expressed that he would like to have the Community Center open and to consider purchasing cots, blankets, or roll up beds. Other Council members were in agreement with Alderman Collins' suggestion.

No action was required on this item.

ITEM 13. DISCUSSION: IDENTIFY DATE TO HOLD JOINT WORKSHOP MEETING WITH BOTH PLANNING COMMISSION AND COUNCIL TO SET GOALS FOR 2010

It was suggested that February 4, 2010 be identified as a potential date to hold a joint workshop meeting with both Planning Commission and City Council to set goals for 2010. City Secretary was asked to email all parties and find out if this date would be suitable to all members. No action was required.

ITEM 14. 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: HIRING ANOTHER POLICE OFFICER**

Mayor Roberts announced that the Council would enter into Executive Session at 7:53 p.m. and a quorum was present.

ITEM 15. RECONVENE INTO REGULAR SESSION

The Council reconvened into regular session at 9:19p.m.

ITEM 16. CONSIDER AND POSSIBLY TAKE ACTION TO AUTHORIZE CHIEF SCOTT HEAD TO HIRE AN ADDITIONAL POLICE OFFICER

A motion was made by Alderman Einkauf to authorize Chief Scott Head to hire an additional Police Officer. It was seconded by Alderman Clack. The motion was carried by the following Vote:

Ayes: Alderman Clack, Collins, Einkauf, Gill and Alderwoman Patterson

Nays: None

ITEM 17. ADJOURN

A motion was made by Alderman Einkauf to adjourn. It was seconded by Alderwoman Patterson. Mayor Roberts announced that the Council is now adjourned at 9:21p.m.

Mayor- James W. Roberts

ATTEST:

D. Gordon Offord – City Secretary