



CITY OF FULSHEAR

30603 FM 1093, P. O. BOX 279, FULSHEAR, TEXAS 77441
PHONE: 281-346-1796 FAX: 281-346-2556

Fulshear City Council Minutes

June 19, 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 7:06 p.m. Tuesday, June 19, 2012 at 30603 FM 1093, Fulshear, Texas and all citizens were welcomed.

Members Present:

*Thomas C. Kuykendall, Jr., Mayor
Stephen Gill, Mayor Pro Tem
Larry Beustring
J. B. Collins, Jr.
Laverne Patterson
Jeff Roberts*

Staff Present:

*D. (Diana) Gordon Offord, City Secretary
C. J. Snipes, City Administrator
J. Grady Randle, City Attorney
Elaine Brown, Contract Court Clerk
Michelle Kirchner, Building Inspector
David Leyendecker, Contract City Engineer*

Others Present:

*Tracy Youngblood
Russ Cosbey
Tom Laseter
Gwen Fox
Rev. Alicia Coltzer
And 6 others who did not sign in*

II. QUORUM

A quorum was present.

III. INVOCATION – Rev. John Crowe, Pastor of River Bend Baptist Church, Fulshear, Texas

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Pastor Crowe called and stated that Rev. Alicia Coltzer from the First United Methodist Church would be standing in for him. Pastor Coltzer gave the invocation.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Kuykendall.

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 May 2 AND MAY 17, 2012 MEETING

B. CONSENT and APPROVAL OF CROSS CREEK RANCH: CREEK COVE AT CROSS CREEK RANCH/ SECTION 1 FINAL PLAT

C. CONSENT and APPROVAL CROSS CREEK RANCH: LAKES OF CROSS CREEK RANCH/ SECTION 3 FINAL PLAT

D. CONSENT AND APPROVAL OF FIRETHORNE: WEST FIRETHORNE ROAD SECTION 4/STREET DEDICATION

E. CONSENT AND APPROVAL OF FIRETHORNE: FIRETHORNE SECTION 25 (A PRIVATE STREET SECTION AND A PARTIAL REPLAT OF SECTION 19) REASON FOR REPLAT: TO CORRECT F.M. 1463 R.O.W. DEDICATION/ PRELIMINARY PLAT

A motion was made by Alderman Patterson to approve the Consent Agenda as presented. 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 was presented by Southwest Water Company representative, Tom Laseter. 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 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 and Inspections, etc.)

A report from the Building Official, Michelle Kirchner, was presented to the Council. No action required.

VIII. BUSINESS

A. PRESENTATION OF VIDEO REPORT ON SPRING BEAUTIFULSHEAR EVENT.

Michelle Kirchner, Building Inspector, presented approximately a four minute video to Council regarding the Spring Beautifulshear Event. Mayor Kuykendall announced that a new neighbor to the area, Tirana, put the video together and she and her husband were both present.

B. CONSIDERATION and POSSIBLE ACTION to APPROVE PAYABLES from MAY 12th to JUNE 15th, 2012

Mayor Kuykendall asked that one of his questions was why the payables was pulled off the Consent Agenda. He stated that "D" the City Secretary actually had learned a few things at the seminar she has been attending and that if we continually have questions regarding a consent agenda item, then it should be listed separately.

Mayor Kuykendall stated that the question he had about a payment to Railroad Management and he was informed that was city's payment for the lease of Metro Ride way where our City's lift station is sitting.

Alderman Gill had a question regarding the special project and City Administrator, C. J. Snipes stated he would research and get back with him. Mr. Snipes stated that it involved multiple projects.

A motion was made by Alderman Gill to approve payables from May 12th to June 15th, 2012. 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

C. CONSIDERATION and POSSIBLE ACTION to APPROVE BUDGET CALENDAR FOR PREPARATION OF FISCAL YEAR 2012-2013 BUDGET.

Mayor Kuykendall asked if this is the outline set out by the state and the appraisal district. Mr. Snipes stated yes and that this is not same as the workshops that will be scheduled regarding the budget. This is simply laying out our steps as how we will move forward with the budget and setting the tax rate.

A motion was made by Alderman Gill to approve Budget Calendar for preparation of Fiscal Year 2012-2013 Budget. 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

D. CONSIDERATION and POSSIBLE ACTION to APPROVE POTENTIAL WATER AND WASTE WATER OPERATOR TO BEGIN NEGOTIATIONS FOR CONTRACTED SERVICES

C. J. Snipes, City Administrator, referred Council to review a separate drop box that was sent out about an hour ago comments/and or reviews from other municipalities regarding services from three bidders and the letter of recommendation from the City Engineer, David Leyendecker. He stated that we had three respondents: Si Environmental, LLC; EDP –(Environmental Development Partners); and Severn Trent. He stated that the decision/and or selection must be based on qualifications and not cost. He asked David Leyendecker, City Engineer, if he would like to add anything.

Mr. Leyendecker stated that we received three proposals and was very fortunate. He stated he was on the committee with C. J. and the Mayor. They looked at the personnel, experience, and recommendations each of the three respondents. Mr. Leyendecker stated that it is his understanding that Cross Creek Ranch plans on putting 600 homes on the ground next year and Fulshear Creek Crossing

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is looking to increase production so there will be a tremendous amount of sewer taps and maintenance. He recommends that we start negotiations with the most qualified which is ST Environmental (same as Severn Trent) and if we can't come to a satisfaction conclusion with them then just follow down the line.

A motion was made by Alderman Gill to authorize negotiations with ST Environmental Services (same as Severn Trent). 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

E. CONSIDERATION and POSSIBLE ACTION on Ordinance No. 2012- 1073 an Ordinance of the City of Fulshear Regulating Alarms

C. J. Snipes, City Administrator, asked Chief Seymour to give an explanation regarding alarms here in the City.

Chief Seymour stated that currently all the alarms permits goes through the Fort Bend County Sheriff's office but the Fulshear Police Department investigates the calls. For example last year, January through June, they responded to 54 calls and this year and June is not over ...have already responded to 104 calls.

Chief Seymour stated he has been visiting with C. J. off and on to discuss this situation and thinks that the City needs to take on this task due to our resources are continually to be drained. Chief Seymour stated that all fees attached to currently goes to the County.

City Administrator, C. J. Snipes, stated that the County should not be issuing permits within a municipality's city limits.

There was approximately a 20-minute discussion among Council, Chief Seymour, Michelle Kirchner (Building Inspector), and Attorney J. Grady Randle on the procedure for handling alarm permits within a City and fees associated with this service. C.J. Snipes stated that the County would be contacted in order to have a smooth transition if the task goes to the Police Department.

A motion was made by Alderman Gill to approve Ordinance No. 2012-1073 an Ordinance of the City of Fulshear Regulating Alarms. 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

F. CONSIDERATION and POSSIBLE ACTION ON ORDINANCE NO. 2012-1074 AN ORDINANCE OF THE CITY OF FULSHEAR AMENDING ORDINANCE NO. 2010-1029 ENTITLED ALCOHOLIC BEVERAGES REVISING SECTION 4.0 TO DISCONTINUE LATE HOURS LICENSING FOR RETAIL LIQUOR PERMITS WITH THE CITY LIMITS OF THE CITY OF FULSHEAR

Mayor Kuykendall read the agenda item and made note there was a type-o which "Ordinance 2010-1029" should have been "Ordinance No. 2010-1028". There was approximately a 20 minute discussion among the Council.

C.J. Snipes, City Administrator, stated that there has been some problems for the Police Department with one establishment here in town and he thinks this will help with control since the zoning ordinance has already been put into place for establishments such as this and this would help control the late hours .

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A motion was made by Alderman Gill to approve Ordinance No. 2012-1074 and to increase the penalty to \$2000. It was seconded Alderwoman Patterson.

Mayor Kuykendall asked if there was any discussion. Alderwoman Patterson stated the fine should remain at \$500.

Aldermen Gill amend the motion to approve ordinance No. 2012-1074 and to increase the penalty to \$2000. He restated his motion to approve Ordinance No. 2012-1074 and to have the penalty of \$500 as presented in the Ordinance. Alderwoman Patterson seconded the motion. The motion was carried by the following vote:

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

Nays: None

G. CONSIDERATION AND POSSIBLE ACTION ON ORDINANCE NO. 2012-1075 AN ORDINANCE OF THE CITY OF FULSHEAR ADOPTING THE COUNTY'S BURN BAN POLICY AND SYNCHRONIZING THE EFFECT OF ANY BURN BAN ISSUED BY THE COUNTY AS EFFECTIVE WITHIN THE CITY LIMITS.

A motion was made by Alderman Collins to approve Ordinance No. 2012-1075 an Ordinance of the City of Fulshear adopting the County's Burn Ban Policy and synchronizing the effect of any burn ban issued by the County as effective within the City Limits. 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

H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE PETITION FOR ANNEXATION AS CONTAINED IN DEVELOPMENT AGREEMENT BETWEEN THE CITY AND LAMAR CONSOLIDATED INDEPENDENT SCHOOL DISTRICT FOR THE PROPERTY ADJACENT AND CONTAINING THE TRANSPORTATION SATELLITE FACILITY; DIRECTING STAFF TO DRAFT ANNEXATION CALENDAR AND SERVICE PLAN FOR SAID PROPERTY

A motion was made by Alderman Roberts to approve petition for annexation as contained in development agreement between the city and Lamar consolidated independent school district for the property adjacent and containing the transportation satellite facility; directing staff to draft annexation calendar and service plan for said property. 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

I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MEMORANDUM OF UNDERSTANDING FOR INTERAGENCY RECORDS SHARING WITH KATY ISD

A motion was made by Alderman Gill to approve Memorandum of Understanding for Interagency Records sharing with Katy ISD. 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 RESOLUTION NO. 2012-198 AUTHORIZING FINANCING CONTRACT FOR PURCHASE OF AUTOMATED TICKET WRITING SYSTEMS.

Chief Seymour presented to the Council that this system was assist the Police Officers to accurately record information involving ticket writing for traffic stops and also safety for the office in speeding up the process since most of the roads in the area has no shoulder. He stated that the lease purchase would be for 3years and cost \$8950 which would include 2 units plus the software, 5 year warranty, and annual upgrades and maintenance. There was approximately a ten minute discussion among Council and Chief Seymour and all questions were answered satisfactorily.

A motion was made by Alderman Gill to approve Resolution No. 2012-198 authorizing financing contract for purchase of automated ticket writing systems. 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

IX. ADJOURNMENT

A motion was made by Alderman Collins to adjourn at 8:33 p.m. It was seconded by Alderman Beustring and Alderwoman Patterson. The motion was carried by the following vote:

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

Nays: None

Mayor Kuykendall announced that we are now adjourn.

Thomas C. Kuykendall, Jr. – Mayor

Attest:

D. (Diana) Gordon Offord - City Secretary