



# CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

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## **March 21, 2017 City Council Minutes**

### **I. Opening**

#### **A. Call to Order**

A Regular City Council Meeting was called to order by Mayor Jeff W. Roberts, Tuesday, March 21, 2017 at 7:00 p.m. in the Fulshear City Hall located at 30603 FM 1093, Fulshear, Texas 77441 and all citizens were welcomed. Mayor Roberts thanked all the participants and city staff for their attendance.

#### **B. Quorum & Roll Call**

Mayor Roberts announced that a quorum was present and that Council Member Gill will be joining them shortly.

#### **Council Members Present:**

Jeff W. Roberts, Mayor

Erin Tristan, Mayor Pro Tem

Lauren Ashley, Council Member

Stephen Gill, Council Member, (came at 7:35 p.m.- during the break)

Tricia Krenek, Council Member

Ramona Ridge, Council Member

#### **City Staff Present:**

D. (Diana) Gordon Offord, City Secretary

J. Grady Randle, City Attorney

David Leyendecker, City Engineer

C.J. Snipes, City Manager

Brant Gary, Executive Director of Planning and Development

Paula Ryan, Assistant City Manager/Human Resource Director

Mike McCoy, Captain/Police Department

Angela Hahn, Communication Coordinator

Angela Fritz, Economic Development Director

Sharon Valiante, Public Works Director

Officer Arthur Alonso

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Officer Bill Henry  
Officer Charlie Scott  
Officer Nickey Braly  
Officer Jennifer Edmonds  
Sgt. Lindsay Miller  
Sgt. Felix Vargas  
Lynn Raymer, Executive Assistant  
Officer Kevin Zieschang  
Kenny Seymour, Chief of Police

Others Present:

Madison Braly  
Ginger Bracy  
Jaclyn Ritter  
Jack Raymer  
Kim Stacy  
Owen BeMent  
Viola Randle  
Trey DeViller  
Bryan Thomas  
Debra Cates  
Danny McRea  
Julie Ward  
Ryan Moeckel  
And 56 others who did not sign in

**C. INVOCATION- REV. JACKIE GILMORE, GREATER ZACHERY BAPTIST CHURCH**

Rev. Jackie Gilmore provided the prayer.

**D. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG-**

Mayor Roberts led the audience in the Pledge of Allegiance to the U. S. Flag.

**E. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG-**

Mayor Roberts led the audience in the Pledge of Allegiance to the Texas Flag.

Mayor Roberts announced that we would move a couple items around in order to reduce the crowd. (A lot of the audience was due to the Police Department presenting commendations and promotions)

A motion was made by Mayor Pro Tem Tristan to move to Business item A on the agenda. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Ashely, Krenek, Ridge and Tristan

Nays: None

Absent: Council Member Gill

**(Go to Business Items A and B for details)**

Mayor Roberts announced that we will now move back to the regular session at 7:43 p.m.

Mayor Roberts made a few remarks about the Police Department commending them for their diligent service to the community. He also recognized the new hire, Angela Hahn, the communication coordinator for the city and welcomed her.

Mayor Roberts announced that we will start with Agenda Item II – Citizens Comments.

**II. CITIZENS COMMENTS**

Owen BeMent- He stated that twelve years ago we got our police protection from Fort Bend County Sheriff Office. He stated he came to watch the show and it was a great show.

Damien McCrea-He stated that trees are natural flood preventer and he encourages the city to adopt a tree ordinance. (for all the specifics, request a copy of tape recording)

**III. PUBLIC HEARING-SPECIAL USE PERMIT- WOODHAM/THRIVE CHURCH**

Mayor Roberts opened the Public Hearing at 7:50 p.m. There were no comments from the audience. Mayor Roberts closed the Public Hearing at 7:51 p.m.

**IV. CONSENT ITEMS**

- A. CONSENT AND APPROVAL OF CROSS CREEK COMMERCIAL II/FINAL PLAT**
- B. CONSENT AND APPROVAL OF THE MARKET AT CROSS CREEK RANCH – PARTIAL REPLAT NO. 1/FINAL PLAT**
- C. CONSENT AND APPROVAL OF CROSS CREEK COMMONS RETAIL SITE PARTIAL REPLAT NO. 1/FINAL PLAT**

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- D. CONSENT AND APPROVAL OF TAMARRON SECTION 24/FINAL PLAT
- E. CONSENT AND APPROVAL OF TAMARRON SECTION 31/FINAL PLAT
- F. CONSENT AND APPROVAL OF TAMARRON SECTION 36/FINAL PLAT
- G. CONSENT AND APPROVAL OF KATY ISD ELEMENTARY NO. 41/FINAL PLAT
- H. CONSENT AND APPROVAL OF COMMERCIAL RESERVES AT FM 1463/ PRELIMINARY PLAT
- I. CONSENT AND APPROVAL OF UTILITY EASEMENTS ASSOCIATED WITH THE WATER/ SEWER LINE EXPANSION WESTERLY ALONG FM 1093 INCLUDING PROPERTIES OWNED BY: CAROL McCANN; GERALD McCANN, ET. AL.; LOU WATERS AND KENNETH ARNOLD
- J. CONSIDERATION AND POSSIBLE ACTION TO APPROVE EXTENSION OF PLAT RECORDATION FOR TAMARRON SECTION 11/ REPLAT NO. 1/ FINAL PLAT UNTIL MARCH 18, 2018
- K. CONSENT AND APPROVAL OF THE MONTHLY FINANCIAL REPORT
- L. CONSENT AND APPROVAL OF MINUTES FROM FEBRUARY 21<sup>ST</sup> AND FEBRUARY 28<sup>TH</sup> 2017 CITY COUNCIL MEETINGS

A motion was made by Council Member Krenek ~~to remove to handle~~ item G ~~separately from the Consent Agenda~~ and to approve items A-F and items H-L on the Consent Agenda. It was seconded by Mayor Pro Tem Tristan. The motion was carried by the following vote:

Ayes: Council Members Ashley, Gill, Krenek, Ridge, and Tristan  
Nays: None

Council Members Erin Tristan and Lauren Ashley recused themselves from voting on item G.

Item G: Consent and approval of Katy ISD Elementary No. 41/ Final Plat

A motion was made by Council Member Krenek to approve item G. It was seconded by Council Member Gill. The motion was carried by the following vote:

Ayes: Council Member Gill, Krenek, Ridge  
Nays: None  
Recused: Council Member Ashley and Tristan

**V. BUSINESS ITEMS**

**A. PRESENTATION AND PINNING CEREMONY FOR FULSHEAR POLICE SERGEANTS**

**B. PRESENTATION OF CHIEF'S COMMENDATIONS FOR FULSHEAR POLICE DEPARTMENT**

Mayor asked Chief Seymour to step forward for the presentations.

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Chief Seymour recognized Suzanne Runner who has been with the department since its beginning starting back in year 2008 (the City of Fulshear had no Police Department/previously depended on assistance from the Fort Bend County Sheriff's office) Chief Seymour stated she would be stepping down as of 3-31-2017 to pursue some other dreams. Captain McCoy read a synopsis of Ms. Runner history with the police department and Chief Seymour presented her with a certificate of service. The audience applauded.

Chief Seymour recognized the newest members added to his department: Eli Alonso, Bill Henry, and Clint Landry.

Chief Seymour recognized the ones from his department receiving certificates. They are Lynn Raymer, Executive Assistant, ( not an officer) Nickey Braly, Charles Scott, Jennifer Edmonds, Kevin Ziechang, and Michael McCoy.

Captain McCoy of the Police department was assigned to read a brief history of each member receiving certificates and their accomplishments with the Fulshear Police Department.

Mayor Roberts called for a motion in order to allow for a ten minute break. A motion was made by Council Member Krenek and seconded by Mayor Pro Tem Tristan, which passed unanimously.

(Request a copy of the tape recording to hear all the specifics on each recognized officer).

**C. PRESENTATION OF A PROCLAMATION RECOGNIZING INTELLECTUAL DISABILITIES MONTH**

Mayor Roberts read the proclamation aloud and presented it to Tracy Shaw with Texana.

**D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE REQUEST FOR A SPECIAL USE PERMIT FOR COMMERCIAL OFFICE/BUSINESS LOCATED AT 30136 FM 1093, FULSHEAR TEXAS 77441**

Brant Gary, Executive Director of Planning and Development, presented to the Council. He recommends approval.

Council Member Krenek stated that this document has been before Council several times. She asked how is the City Building Official signing off especially since she is not the applicant. Mr. Gary stated he does not have an answer but would be happy to answer any questions regarding requirements of the application. There were several questions and answers between Council Member Krenek and Mr. Gary for approximately fifteen minutes. Mayor Roberts stated if the Council desired to make special stipulations that could be done but no one is going to make

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changes to a building especially when no approval has been granted. He stated this special use application is asking for a residential to be changed to a business. Council Member Krenek stated she agreed with him and continued to ask more questions. C.J. Snipes, City Manager, interrupted to answer questions. Council Member Ridge asked for an opinion from the City Attorney. City Attorney Randle provided a response. (for all specifics request a copy of tape recording) Council Members continued the debate regarding the special use permit application for approximately another fifteen minutes. Council Member Gill stated his concern is for public safety and the drive way should be widened. Mr. Gary provided a response. The debate continued.

A motion was made by Mayor Pro Tem Tristan to approve request for a special use permit for a commercial office/business located at 30136 FM 1093, Fulshear, Texas with conditions noted by the PnZ Chairman. It was seconded by Council Member Ridge.

An amended motion was made by Council Member Gill to add widened of the driveway for commercial use. It was seconded by Council Member Krenek.

Council Member Krenek stated that she would like to amend the motion to add that the application be for a single tenant. There was no second. Mayor Roberts announced that this motion dies for a lack of second.

A motion was made by Council Member Krenek for the property to have single tenant- Thrive Church with drive way being widened. It was seconded by Council Member Gill.

Mayor Roberts asked if there are any other questions. C. J. Snipes, City Manager, asked if a widening of the driveway is not allowed by TX Dot due to the proposed construction of FM 1093, would permission of the special use be allowed if approved? Council Member Gill, Council Member Krenek, and Mr. Snipes debated this statement for a few minutes.

Mayor announced that he would started with the last motion first.

Mayor Roberts stated an amended motion by Council Member Krenek and seconded by Council Member Gill to have a single tenant including the proposed driveway requirement. The motion was carried by the following vote:

Ayes: Council Member Gill and Krenek

Nays: Council Member Ashley, Ridge, and Tristan

Mayor Roberts announced that the motion failed.

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Mayor Roberts stated a motion was made by Council Member Gill to add driveway requirements to the motion. He stated it was seconded by Council Member Krenek. Mayor Roberts called for a vote: The motion was carried by the following vote:  
(Mayor Roberts asked for a show of hands)

Ayes: Council Member Gill and Krenek

Nays: Council Member Ashley, Ridge, and Tristan

Mayor Roberts announced that this motion failed.

Mayor Roberts stated we will now go back to the original motion made by Mayor Pro Tem Tristan as stated in our SUP packets and seconded by Council Member Ridge. He called for a vote: The motion was carried by the following vote: (Mayor asked for a show of hands).

Ayes: Council Member Ashley, Ridge, and Tristan

Nays: Council Member Gill and Krenek

Motion passes.

**E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-341 A  
RESOLUTION OF THE CITY OF FULSHEAR DENYING THE RATE APPLICATION AND  
CONSOLIDATION APPLICATION PROPOSED BY CENTER POINT ENERGY**

A motion was made by Council Member Krenek to approve Resolution No. 2017-341, a resolution of the City of Fulshear denying the rate application and consolidation application proposed by Center Point Energy. It was seconded by Council Member Ashley. The motion was carried by the following vote:

Ayes: Council Member Ashley, Gill, Krenek, Ridge, and Tristan

Nays: None

**F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1243 AN  
ORDINANCE OF THE CITY OF FULSHEAR GRANTING A NON-EXCLUSIVE UTILITY FRANCHISE FOR  
THE PROVISION OF NATURAL GAS SERVICE BY CENTER POINT ENERGY**

A motion was made by Council Member Krenek to approve Ordinance No. 2017-1243 an

ordinance of the City of Fulshear granting an non-exclusive utility franchise for the provision of Natural Gas service by CenterPoint Energy. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Ashley, Gill, Krenek, Ridge, and Tristan  
Nays: None

**G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1244 AN ORDINANCE OF THE CITY OF FULSHEAR PROVIDING FOR AN EXEMPTION OF 14% OR \$5,000.00 WHICHEVER IS GREATER OF THE APPRAISED VALUE OF THE RESIDENCE HOMESTEAD AND/OR \$15,000.00 FOR DISABLED PERSONS OR SENIOR CITIZENS 65 YEARS OF AGE AND OLDER**

A motion was made by Council Member Gill to approve Ordinance No. 2017-1244, an Ordinance of the City of Fulshear providing for an exemption of 14% or \$5,000.00 whichever is greater of the appraised value of the residence homestead and /or \$15,000.00 for disabled persons or senior citizens 65 years of age and older. It was seconded by Council Member Ashley. The motion was carried by the following vote:

Ayes: Council Member Ashley, Gill, Krenek, Ridge, and Tristan  
Nays: None

**H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1245 AN ORDINANCE OF THE CITY OF FULSHEAR AMENDING ORDINANCE NO. 2012-1058; SECTION 4.0, PARAGRAPHG(b) OF SUB-SECTIONS 1, 2, 3, AND 4 REGARDING FACADE OF WALL SIGNS**

C. J. Snipes, City Manager, presented to the Council. There was approximately a ten-minutes discussion among the Council regarding signage. Council was satisfied with responses received.

A motion was made by Mayor Pro Tem Tristan to approve Ordinance No. 2017-1245 an ordinance of the City of Fulshear amending Ordinance No. 2012-1058; Section 4.0, paragraph (b) of Sub-Sections 1, 2, 3, and 4 regarding façade of wall signs. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Member Ashley, Gill, Krenek, Ridge, and Tristan  
Nays: None



**I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE INTERLOCAL AGREEMENT BETWEEN THE CITY OF FULSHEAR AND THE CITY OF SIMONTON FOR FACILITY RESOURCE SHARING DURING EMERGENCY OPERATIONS.**

A motion was made by Council Member Krenek to approve InterLocal Agreement between the City of Fulshear and the City of Simonton for facility Resource Sharing during emergency operations. It was seconded by Council Member Gill.

Council Member Krenek , Council Member Gill, and City Attorney, J. Grady Randle, had a ten minutes discussion regarding the expectations of the agreement including termination procedures.

Council Member Krenek stated she would like to amend her motion to include in the agreement a 30-day written notice to terminate. It was seconded by Council Member Gill. Mayor called for a vote. The motion was carried by the following vote:

Ayes: Council Member Ashley, Gill, Krenek, Ridge, and Tristan  
Nays: None

Mayor stated we will now go back to the original motion and he called for a vote: The original motion was carried by the following vote:

Ayes: Council Member Ashley, Gill, Krenek, Ridge, and Tristan  
Nays: None

**VI. EXECUTIVE SESSION- CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE**

A motion was made by Mayor Pro Tem Tristan to enter into Executive Session. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Ashley, Gill, Krenek, Ridge, and Tristan  
Nays: None

Mayor Roberts announced that Council would enter into Executive Session as 8:56 p.m. A quorum was present.

Mayor Roberts reconvened back into Regular Session at 10:13 p.m. Council Member Krenek stated there is no action that needs to be taken from Executive Session.

**VII. ADJOURNMENT**

A motion was made by Council Member Krenek to adjourn. It was seconded by Council Member Gill.


Mayor Roberts stated before we take action, he would like to congratulate new employee, Angela Hahn. He then called for a vote.

The motion was carried by the following vote:

Ayes: Council Member Ashley, Gill, Krenek, Ridge, and Tristan

Nays: None

Mayor Roberts announced that meeting is now adjourned.

  
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Jeff W. Roberts, Mayor

Attest:

  
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D. (Diana) Gordon Offord, City Secretary