



CITY OF FULSHEAR

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

CITY COUNCIL MINUTES JANUARY 19, 2016

I. CALL TO ORDER

A Regular Meeting of the Fulshear City Council was called to order by Mayor Thomas C. Kuykendall, Jr., on Tuesday, January 19, 2016 at 7:06 p.m. in the City Hall located at 30603 FM 1093, Fulshear, Texas and all citizens were welcomed.

Members Present:

Thomas C. Kuykendall, Jr., Mayor
Jeff Roberts, Mayor Pro Tem
Tricia Krenek
Ramona Ridge
Erin Tristan

Members Absent:

Tajana Mesic

City Staff:

D. Gordon Offord, City Secretary
C.J. Snipes, City Administrator
Chief Kenny Seymour
Lynn Raymer, Administrative Assistant
Valerie Bryant, Court Administrator
Mariela Rodriguez, Court Clerk
Kristina Brashear, Finance Director
Michael Ross, Asst. City Administrator
J. Grady Randle, City Attorney
Michelle Killebrew, Building Official

Others Present:

Kim Stacy
Shannon Purcell
Viola Randle
Jenni McJunkin
Owen BeMent
Bill Heede
Sherri BeMent
Mary Nancy Capetillo

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Continue- Others Present:

Noah Worley

Sam Johnson

Alena Heede

Laurie Szantay

Cheryl Finney

And 27 others who did not sign in

II. QUORUM

Mayor Kuykendall announced that a quorum was present and that Council Member Mesic not present.

III. INVOCATION- Pastor Mark Welshimer, First United Methodist Church of Fulshear

Pastor Welshimer was unable to attend but sent Reverend Tiffany Guarisco to provide the prayer.

IV. PLEDGE OF ALLEGIANCE

Mayor Kuykendall led the audience in the Pledge of Allegiance to the flag.

V. CITIZEN COMMENTS- NO ACTION CAN BE TAKEN

Citizens who desire to address the City Council will be limited to three (3) minutes

My name is Kim Stacy. Ms. Stacy stated she attended her first Parks and Recreation and went on to tell about an incident she witnessed during the meeting. She stated the result was one member resigning. Ms. Stacy had concerns with city council members serving on advisory boards as she expressed a conflict of interest. Ms. Stacy stated council members should not be serving on boards as long as they are in an elected capacity. Ms. Stacy stated policies and procedures need to be established for board members to follow. (for all of the comments, request copy of tape recording)

Owen BeMent questioned, what evidence do you have that Texas Law is being violated by the charter commission, etc. He stated just because decisions are being made you do not agree with does not mean they are violating Texas Law. Mr. BeMent advised where to seek help if you think Texas Laws are being violated by committee members. Mr. BeMent stated that Ms. Mesic went to see Judge Hebert to try to dis-credit the highest city official along with the integrity of charter committee. (for all of the comments, request copy of tape recording)

Sherri BeMent. Ms. BeMent expressed that Tajana Mesic used scarce tactics to oppose a volunteer. Ms. BeMent stated Ms. Mesic is using her position to get even with a volunteer. (for all comments, request copy of tape recording)

Alena Heede. Ms. Heede passed out brochures to the Council. Ms. Heede stated others have covered much of what she wanted to say. Ms. Heede stated several Council Members face book she found to be inappropriate and disturbing. (for all comments, request copy of tape recording)

Cheryl Finney. Ms. Finney charged the City Council members to represent the Citizens morally, respectfully. She all requested that they be respectful to constituents and to all volunteers.

Mayor Kuykendall asked if he overlooked anyone. The audience was silent.

VI. PUBLIC HEARING

The City of Fulshear, Texas, proposes an amendment to the city's zoning ordinance to adopt minimum architectural design standards for buildings located within the City limits.

Notice is hereby given to all interested persons that the City Council of the City of Fulshear, Texas, will conduct a Public Hearing on Tuesday, January 19, 2016, at 7:00 p.m., in the Fulshear City Council Chambers, Fulshear City Hall, 30603 F.M. 1093, Fulshear, Texas 77441.

The purpose of the public hearing is to receive input from the public on a proposal for the City of Fulshear, Texas, to amend the City's zoning ordinance as set forth above.

At said times and places all persons shall have the right to appear and be heard. All persons desiring to attend the public hearing may view the agenda of the City Council to confirm the scheduling of the hearing.

The agenda will be available at Fulshear City Hall, 30603 F.M. 1093, Fulshear, Texas 77441 at least 72 hours preceding each hearing. All persons desiring to be heard at such public hearing are invited to attend the hearing.

Mayor Kuykendall announced that the Public Hearing opened at 7:19 p.m.

Mayor Kuykendall stated we adopted zoning back in 2012 and it was a long process. He stated there have been a couple of revisions and/or amendments. He asked the audience if they had any comments.

Council Member Krenek stated she was not able to find it on the website.

Kim Stacy. She stated she was on the committee. Ms. Stacy thanked Gary Mitchell, Kendig Keast, for his guidance.

Jeff Roberts. He stated he was on the committee and thought it was a fine piece of work.

Mayor Kuykendall asked if there were any more comments. The audience was silent. Mayor Kuykendall announced that the Public Hearing closes at 7:22 p.m.

VII. CONSENT AGENDA

Items listed under the consent agenda are considered routine and are generally enacted in one motion. The exception to this is rule is that a Council Members may request one or more items to be removed from the consent agenda for a separate discussion and action.

- A. Consent and approval Bonterra at Cross Creek Ranch/Section 2/ Preliminary Plat**
- B. Consent and approval Main Street Crossing Subdivision/ Commercial/Preliminary Plat**
- C. Consent and approval Tamarron Parkway Phase 3/Street Dedication/Preliminary Plat**

- D. Consent and approval Tamarron Coles Canyon and Riles Ridge/Street Dedication/Preliminary Plat**
- E. Consent and approval Tamarron Parkway/Phase 4/Street Dedication/Preliminary Plat**
- F. Item removed from the Consent Agenda (Kiddos Ranch Day Care/Preliminary Plat)**
- G. Consent and approval of Minutes from City Council Meetings December 1, 2015 (and December 15, 2015 will be handled on a later agenda)**

Mayor Kuykendall stated he would like to pull item F (Kiddos Ranch Day Care) from the Consent Agenda as he would like a separate discussion on this.

Council Member Krenek stated she would like to pull item G specifically the minutes from December 15, 2015 from the Consent Agenda. Council Member Krenek stated she would like more time to review this item.

A motion was made by Council Member Roberts to approve items A through E and the minutes of December 1, 2015 from item G only. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan

Nays: None

Absent: Council Member Mesic

Item F. Consent and approval Kiddos Ranch Day Care/Preliminary Plat

Mayor Kuykendall stated that he met with Commissioner Meyers on last week and had a discussion on this plat. He stated that this site is on FM 1463 just north of Tamarron on Rose Lane and the question is whether rose lane is a public street. He stated staff is asking that this plat be denied until written documentation can be shown that this facility is on a public street.

C. J. Snipes, City Administrator, stated there is no public right of always. Mr. Snipes provided further information to the Council.

A motion was made by Council Member Roberts to deny Kiddos Ranch Day Care/Preliminary Plat. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan

Nays: None

Absent: Council Member Mesic

Mayor Kuykendall stated that Item G the minutes from December 15, 2015 (second part).

A motion was made by Council Member Krenek to postpone minutes of December 15, 2015 (item G). It was seconded by Council Member Roberts. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan

Nays: None

Absent: Council Member Mesic

VIII. 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 Severn Trent Services (Repairs, New Installations, and reports to TCEQ)

Jason Demel introduced Katie May (top in management training) to the Council. Jason Demel presented the report to Council from Severn Trent Company. No action was taken.

B. Report from the Police Department (Traffic Citations, arrests, incidents, calls for service)

Chief Kenny Seymour presented the report to Council from the Police Department. No action was taken.

Chief Seymour introduced the new and first police Chaplin to the Council. His name is Dr. Charles Wisdom. Dr. Wisdom also spoken a few encouraging words to the Council.

C. Report from the Municipal Court Clerk (Fees and Fines)

Valerie Bryant, Court Administrator, presented the report to Council from the Municipal Court and her new court clerk, Mariela. No action was taken.

D. Report from the Building Services Department (Permits issued, inspections)

Michelle Killebrew, Building Official, presented the Building Service report to the Council. No action was taken. Ms. Killebrew thanked Christine Bueller and sorry to see her go and her last day will be Friday.

IX. BUSINESS

A. Discussion of presentation of Police Annual and Racial Profiling report by Chief Seymour

Chief Seymour presented his report on Racial profiling to the Council. He also provided each Council Member with a copy of the report. He also identified some specifics and showed it on video screen. He stated that whites was issued more traffic violation than any other ethnic group. (618 whites; 196 African American; and 480 Hispanics). (for all comments, request a copy of the tape recording)

B. Consideration and possible action to approve Checks Paid and Payables from December 14, 2015 to January 13, 2016

A motion was made Council Member Krenek to approve checks paid and payables from December 12, 2015 to January 13, 2016. It was seconded by Council Member Tristan. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan

Nays: None

Absent: Council Member Mesic

C. Consideration and possible action to approve Ordinance No. 2016-1205 an Ordinance of the City of Fulshear amending the City's Zoning Ordinance to include provisions related to Architectural Design Standards within the City Limits

Mayor Kuykendall announced that we have Gary Mitchell here to give a presentation. He stated that zoning ordinance was adopted in 2012 and it took some time to get through the process.

C.J. Snipes, City Administrator, commended all the member of the committee and Mr. Mitchell for their work.

Gary Mitchell of Kendig Keast gave an overview to the Council. He stated they focused only to the commercial, multi-family, and the downtown area. He stated it only applies to the city limits of Fulshear. He also used a video to describe different aspects regarding the changes. Mr. Mitchell asked for help with having a definition for window on page 6 of the document. Color was discussed in detail by Council.

A motion was made by Council Member Krenek to approve Ordinance No. 2016-1205 adding a definition for window and correction on page 6, an ordinance of the City of Fulshear amending the City's Zoning Ordinance to include provisions related to Architectural Design Standards within the City Limits. It was seconded by Council Member Tristan. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan

Nays: None

Absent: Council Member Mesic

D. Consideration and possible action to approve Resolution No. 2016-297 a Resolution of the City of Fulshear appointing members to the Zoning Board of Adjustment

Mayor Kuykendall asked for this item be posted. He stated that once the City rules on this, there is no re-course to City Council. He stated he is requesting one name and an alternate from each member of the Council. (due by 1-27 or 1-28-2016) After this is received, we can move forth. Mayor stated we will open it for motion or comment if you have one.

A motion was made by Council Member Krenek to postpone Resolution No. 2016-297 a Resolution of the City of Fulshear appointing members to the Zoning Board of Adjustment. It was seconded by Council Member Roberts. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan

Nays: None

Absent: Council Member Mesic

E. Consideration and possible action to approve a the procurement of services related to the City's Geographic Information System (GIS) assessment and strategic plan for the City

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Michael Ross, Assistant City Administrator, provided an explanation to the Council regarding to a GIS (Geographic's Information System) System. He stated that cities use their GIS to manage municipal assets, handle data related to these assists and provide better information for residents, business owners, city council, and staff. (for all the comments request a copy tape)

A motion was made by Council Member Krenek to approve the procurement of services related to the City's Geographic Information System (GIS) assessment and strategic plan for the City. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan

Nays: None

Absent: Council Member Mesic

F. Consideration and possible action to approve letting an RFQ for services related to the review and development of the City's Fees related to Infrastructure Development

Michael Ross, Assistant City Administrator, gave an overview to the Council. Mr. Ross stated this is necessary to help fund the city's infrastructure. These fees are posed against the new development to help with capital improvements and city facilities that benefit the new development. These fees are typical assessed at final plat recordation. He stated that staff recommends that the city approves advertising of a RFQ in order to select an appropriate engineering firm to perform the infrastructure city's comprehensive facility needs assessment. The budget will be established selected on proposal from the top engineering firm. He stated this is a subject we may want to discuss.

Council Member Krenek asked for an Executive Session to discuss this item. Mayor Kuykendall announced that Council would enter into Executive Session at 8:57 p.m. to discuss Item F. A quorum was present.

Mayor Kuykendall announced that the regular meeting called back to order at 9:24 p.m. and a quorum was present.

Mayor Kuykendall stated that we are on agenda item F and if there is any action to be taken.

A motion was made by Council Member Krenek to approve letting an RFQ for services to the review and development of the City's Fees related to Infrastructure Development. It was seconded by Council Member Tristan. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan

Nays: None

Absent: Council Member Mesic

G. Consideration and possible action to approve Professional Services Agreement between the City of Fulshear and Randall Scott Architects for the provision of services related to a Facilities Needs Assessment and Master Planning

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Mayor Kuykendall reminded Council that in November 2015, the city entered into a study period with DHK development. He called on Michael Ross, Assistant City Administrator, to give an update to the Council.

Mr. Ross stated that the city selected Randall Scott Architects, a consultant firm, to perform a comprehensive needs assessment and long range facility master planning. RSA has submitted their proposal and is in your packet. RSA has also provided a proposal to perform a city hall needs assessment and create a city hall conceptual design but staff is not recommending those services at this time. Mr. Ross continued to provide an overview to the Council. (for all the specifics, request a copy of the tape recording). There was a short discussion between Mr. Scott and Council.

A motion was made by Council Member Ridge to approve Professional Services Agreement between the City of Fulshear and Randall Scott Architects for the provision of services related to a facilities needs assessment and master planning. It was seconded by Council Member Tristan. The motion was carried by the following vote.

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan

Nays: None

Absent: Council Member Mesic

H. Consideration and possible action to approve amendment to the City's Vehicle Use Policy allowing for the provision of Automobile Allowances for certain Executive Staff

C.J. Snipes, City Administrator, stated when Mr. Ross was hired, he would instead like to avail himself of an allowance and forego the city expending funds on a vehicle. A rate of \$600 had already been placed in this year's budget. Staff recommends City Council approve the amended policy to all for a vehicle allowance for the assistant city administrator at a rate of \$600 per month.

A motion was made by Council Member Tristan to approve amendment to the City's vehicle use policy allowing for the provision of automobile allowances for certain executive staff. It was seconded by Council Member Ridge. Council Members Roberts asked how this policy fit for other executive staff? Council Member Krenek asked how the selection would be made. Mr. Snipes provided a response.

Council Member Krenek stated she would like to amend the motion to include how the delineation is made. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan

Nays: None

Absent: Council Member Mesic

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A motion was made by Council Member Krenek to approve the city's vehicle use policy allowing for the provision of automobile allowances for certain executive staff subject to selection of delineation of selection. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan

Nays: None

Absent: Council Member Mesic

I. Consideration and possible action to approve Dedication of Right of Way from Fulshear MUD No. 2 to the City for the improvement of Bois D'Arc Lane south from FM 1093

A motion was made by Council Member Krenek to approve dedication of right of way from Fulshear MUD No. 2 to the City for the improvement of Bois D' Arc Lane south of FM 1093. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan

Nays: None

Absent: Council Member Mesic

J. Consideration and possible action to award bid to Schier Construction Company for the installation of pumps and other apparatus related to the expansion of City of Fulshear Water Plant No. 1

C. J. Snipes, City Administrator, provided an overview to the Council.

A motion was made by Mayor Pro Tem Roberts to award bid to Schier Construction Company for the installation of pumps and other apparatus related to the expansion of City of Fulshear Water Plant. No. 1. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan

Nays: None

Absent: Council Member Mesic

K. Consideration and possible action to approve Annexation of a certain 23.44 acre tract of land into Fort Bend County MUD 171 on petition of the Fort Bend County Municipal Utility District No. 171 and the Most Reverend Daniel Cardinal DiNardo, Archbishop of Galveston – Houston

A motion was made by Council Member Krenek to approve Annexation of a certain 23.44 acre tract of land into Fort Bend County MUD 171 on petition of the Fort Bend County Municipal Utility District No. 171 and the Most Reverend Daniel Cardinal DiNardo, Archbishop of Galveston – Houston. It was seconded by Council Member Tristan. The motion was carried by the following vote:

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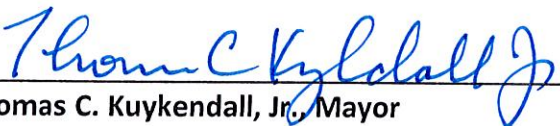
Ayes: Council Member Krenek, Ridge, Roberts, and Tristan
Nays: None
Absent: Council Member Mesic

X. ADJOURNMENT

A motion was made by Council Member Tristan to adjourn. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, Roberts, and Tristan
Nays: None
Absent: Council Member Mesic

Mayor Kuykendall announced that we are adjourned at 9:38 p.m.



Thomas C. Kuykendall, Jr., Mayor

Attest:



D. (Diana) Gordon Offord, City Secretary