



CITY OF FULSHEAR

"FIND YOUR FUTURE IN FULSHEAR"

30603 FM 1093 WEST/ PO Box 279 ~ FULSHEAR, TEXAS 77441

PHONE: 281-346-1796 ~ FAX: 281-346-2556

WWW.FULSHEARTEXAS.GOV

CITY COUNCIL:

MAYOR: Jeff Roberts

COUNCIL MEMBER: Kaye Kahlich

MAYOR PRO-TEM: Tricia Krenek

COUNCIL MEMBER: Tommy Kuykendall

COUNCIL MEMBER: Dana Hollingsworth

COUNCIL MEMBER: Stephen Gill

COUNCIL MEMBER: Kent Pool

CITY COUNCIL:

MAYOR: Aaron Groff

COUNCIL MEMBER: Kaye Kahlich

COUNCIL MEMBER: Dana Hollingsworth

COUNCIL MEMBER: John Kelly

COUNCIL MEMBER: Lisa Kettler Martin

COUNCIL MEMBER: Joel Patterson

COUNCIL MEMBER: Debra Cates

COUNCIL MEMBER: Kent Pool

STAFF:

CITY MANAGER: Jack Harper

Interim CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

CITY COUNCIL MEETING MAY 15, 2018

I. CALL TO ORDER

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR, JEFF W. ROBERTS IN THE IRENE STERN COMMUNITY CENTER LOCATED AT 6920 FULSHEAR, TEXAS AT 7:52 P.M. MAYOR ANNOUNCES WE HAVE A QUORUM WITH FOUR (4) COUNCIL MEMBERS PRESENT. MR. GILL AND MS. HOLLINGSWORTH ARE NOT HERE.

II. QUORUM & ROLL CALL

COUNCIL MEMBERS PRESENT:

JEFF W. ROBERTS, MAYOR

TRICIA KRENEK, MAYOR PRO TEM

KAYE KAHLICH, COUNCIL MEMBER

TOMMY KUYKENDALL, COUNCIL MEMBER

KENT POOL, COUNCIL MEMBER

COUNCIL MEMBERS ABSENT:

DANA HOLLINGSWORTH, COUNCIL MEMBER

STEPHEN GILL, COUNCIL MEMBER

CITY STAFF PRESENT:

*KIMBERLY KOPECKY, INTERIM CITY SECRETARY
JACK HARPER, CITY MANAGER
BRANT GARY, ACTING ASSISTANT CITY MANAGER/EXEC. DIRECTOR OF PLANNING & DEV
SHARON VALIANTE, PUBLIC WORKS DIRECTOR
ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR
WES VELA, CHIEF FINANCIAL OFFICER
LYNN RAYMER, EXECUTIVE ASSISTANT
VALERIE BRYANT, COURT ADMINISTRATOR
DAVID LEYENDECKER,
KELLY CROW, JUDGE
JERONE MCKINNEY
JOHN DAVISON,
GRADY RANDLE,
MIKE MCCOY, POLICE CAPTAIN
KENNY SEYMOUR, POLICE CHIEF
CHARILE SCOTT, POLICE SERGEANT
ROGER THURMAN, POLICE SERGEANT*

OTHERS:

*BILL HEEDE
KAYLEEN NELSON
BRYAN THOMAS
KAREN MARESH
JOHN DOWDALL
TREY DEVILLIER
CJ MCDANIEL
VIVIAN POOL
REBECCA PATTERSON
DON MCCOY
JOHN LEBOURHIS
JOSHUA DORRIS
VIOLA RANDLE
AND ABOUT 56 OTHERS WHO DID NOT SIGN IN*

III. INVOCATION- DR. CHARLES WISDOM, FULSHEAR POLICE CHAPLAIN

DR CHARLES WISDOM LET THE AUDIENCE IN PRAYER.

IV. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG-I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL.

V. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG –HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE

MAYOR ROBERTS LED THE AUDIENCE IN THE PLEDGE OF ALLEGIANCE TO THE US AND TEXAS FLAG.

VI. ELECTION MATTERS

A. CONDUCT OFFICIAL CANVASS OF MAY 5, 2018 CITY OF FULSHEAR GENERAL ELECTION AND CONSIDER ACCEPTANCE OF ELECTION RESULTS

MAYOR ROBERTS READS THE OFFICIAL RESULTS OF THE MAY 5, 2018 CITY OF FULSHEAR GENERAL ELECTION PROVIDED BY FORT BEND COUNTY.

B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2018-1276 AN ORDINANCE OF THE CITY OF FULSHEAR CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 5, 2018 FOR THE PURPOSES OF ELECTING FOUR (4) COUNCIL MEMBERS (DISTRICT 2, DISTRICT 3, DISTRICT 4, AT-LARGE) AND MAYOR

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO CONSIDER "ELECTION ITEM E" BEFORE "ELECTION ITEM B". IT WAS SECONDED BY COUNCIL MEMBER KUYKENDALL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER KAHLICH, KRENEK, KUYKENDALL, AND POOL

NAYS: NONE

ABSENT: COUNCIL MEMBERS GILL AND HOLLINGSWORTH

PLEASE MOVE TO ELECTION ITEM E

A MOTION TO APPROVE ORDINANCE NO. 2018-1276 AN ORDINANCE OF THE CITY OF FULSHEAR CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 5, 2018 FOR THE PURPOSES OF ELECTING FOUR (4) COUNCIL MEMBERS AND MAYOR WAS MADE BY MAYOR PRO TEM KRENEK. IT WAS SECONDED BY COUNCIL MEMBER KUYKENDALL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS KAHLICH, KRENEK, KUYKENDALL, AND POOL

NAYS: NONE

ABSENT: COUNCIL MEMBERS GILL AND HOLLINGSWORTH

MOTION PASSES

C. PRESENTATION AND APPRECIATION FOR OUTGOING COUNCIL MEMBERS

JACK HARPER AND KIMBERLY KOPECKY PRESENT AWARDS TO MAYOR JEFF W. ROBERTS, MAYOR PRO TEM TRICIA KRENEK, AND COUNCIL MEMBER TOMMY KUYKENDALL. THEY ARE THANKED FOR THEIR SERVICE AND DEDICATION. THE AUDIENCE APPLAUDED.

(THERE IS AN AWARD FOR STEPHEN GILL, BUT HE WAS ABSENT)

D. COMMENTS FROM OUTGOING COUNCIL MEMBERS

MAYOR PRO TEM KRENEK THANKS THE MAYOR AND COUNCIL, THE STAFF, THE RESIDENTS WHO BELIEVED IN HER, AND VOLUNTEERS. SHE ALSO THANKS THE NEW IN-COMING COUNCIL FOR STEPPING UP.

COUNCIL MEMBER KUYKENDALL THANKS MAYOR ROBERTS AND CITY COUNCIL MEMBERS FOR ALLOWING HIM TO SERVE AGAIN.

MAYOR JEFF W. ROBERTS APPRECIATES THOSE THAT LIVE HERE AND PUT IN THE EFFORT TO MAKE THIS CITY A GREAT PLACE. HE THANKS THE STAFF FOR BEING RESPECTFUL AND FRIENDLY. HE THANKS THE CITIZENS FOR THEIR PASSION AND LOVE FOR THE COMMUNITY, AND HIS FAMILY.

E. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2018-383 ANNOUNCING THE WITHDRAWAL OF A CANDIDATE FOR THE RUNOFF ELECTION FOR THE AT-LARGE POSITION AND NOT CALLING A RUNOFF ELECTION

A MOTION TO APPROVE RESOLUTION NO. 2018-383 ANNOUNCING THE WITHDRAWAL OF A CANDIDATE FOR THE RUNOFF ELECTION FOR THE AT-LARGE POSITION AND NOT CALLING A RUN-OFF ELECTION WAS MADE BY MAYOR PRO TEM KRENEK. IT WAS SECONDED BY COUNCIL MEMBER KUYKENDALL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS KAHLICH, KRENEK, KUYKENDALL, AND POOL

NAYS: NONE

ABSENT: COUNCIL MEMBERS GILL AND HOLLINGSWORTH

MOTION PASSES

PLEASE MOVE BACK UP TO ELECTION ITEM B

F. CONDUCT THE OATH OF OFFICE FOR ELECTED COUNCIL MEMBERS

JUDGE KELLY CROW CONDUCTS THE STATEMENT OF OFFICER AND THE OATH OF OFFICE FOR AARON GROFF, MAYOR.

JUDGE KELLY CROW CONDUCTS THE STATEMENT OF OFFICER AND THE OATH OF OFFICE FOR DEBRA CATES, COUNCIL MEMBER DISTRICT 2.

JUDGE KELLY CROW CONDUCTS THE STATEMENT OF OFFICER AND THE OATH OF OFFICE FOR LISA KETTLER MARTIN, COUNCIL MEMBER DISTRICT 3.

JUDGE KELLY CROW CONDUCTS THE STATEMENT OF OFFICER AND THE OATH OF OFFICE FOR JOEL PATTERSON, COUNCIL MEMBER DISTRICT 4.

JUDGE KELLY CROW CONDUCTS THE STATEMENT OF OFFICER AND THE OATH OF OFFICE FOR JOHN KELLY, COUNCIL MEMBER AT-LARGE.

G. COMMENTS FROM INCOMING COUNCIL MEMBERS

AARON GROFF ADDRESSES THE AUDIENCE. HE THANKS THE FORMER MAYOR AND COUNCIL FOR LAYING A FOUNDATION FOR THE CITY. HE THANKS HIS FAMILY FOR SUPPORT.

DEBRA CATES EXPRESSES HER SINCERE THANKS TO VOTERS IN DISTRICT 2.

LISA KETTLER MARTIN IS THANKFUL FOR HER FAMILY AND PARENTS.

JOEL PATTERSON THANKS THE FULSHEAR POLICE FOR THEIR SERVICE.

JOHN KELLY THANKS HIS FAMILY AND WIFE FOR SUPPORTING HIM. HE THANKS OUTGOING OFFICIALS AND CANDIDATES THAT RAN.

THERE WAS A SHORT RECESS FROM 8:49 P.M TO 9:12 P.M. FOR A RECEPTION FOR INCOMING AND DEPARTING CITY COUNCIL MEMBERS (ITEM L ON AGENDA)

VII. RECONVENE & CALL TO ORDER

AT 9:12 P.M. MAYOR GROFF CALLED THE MEETING BACK TO ORDER.

VIII. QUORUM & ROLL CALL

MAYOR GROFF ANNOUNCED A QUORUM WAS PRESENT.

COUNCIL MEMBERS PRESENT:

AARON GROFF, MAYOR

KAYE KAHLICH, COUNCIL MEMBER

KENT POOL, COUNCIL MEMBER

DEBRA CATES, COUNCIL MEMBER

LISA KETTLER MARTIN, COUNCIL MEMBER

JOEL PATTERSON, COUNCIL MEMBER

JOHN KELLY COUNCIL MEMBER

COUNCIL MEMBERS ABSENT:

DANA HOLLINGSWORTH

PLEASE MOVE TO ITEM K FOR A BRIEF PRESENTATION FROM COMMISSIONER MYERS

H. CONSIDERATION AND POSSIBLE ACTION TO ELECT A MAYOR PRO-TEM

MAYOR GROFF SUGGESTS TO THE COUNCIL THAT THEY ELECT A SENIOR MEMBER OF COUNCIL THAT HAS NOT YET SERVED AS MAYOR PRO TEM. A MOTION TO ELECT KAYE KAHLICH AS MAYOR PRO TEM WAS MADE BY COUNCIL MEMBER CATES. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

ABSENT: COUNCIL MEMBER HOLLINGSWORTH

KAYE KAHLICH ACCEPTS AS MAYOR PRO-TEM

I. DRAWING OF LOTS TO DETERMINE WHICH OF DISTRICT 2, 3, AND 4 WILL SERVE THE ONE-YEAR TERM PRESCRIBED BY SECTION 9.05(b) OF THE CITY'S HOME-RULE CHARTER

KIMBERLY KOPECKY EXPLAINS THE PROCEDURE FOR THE DRAWING OF LOTS TO DETERMINE WHICH MEMBER WILL SERVE A 1 YEAR TERM. THERE ARE 3 BOXES ON THE TABLE. ONE BOX CONTAINS A PAPER WITH A 1 YEAR TERM, AND 2 BOXES CONTAIN PAPERS WITH 2 YEAR TERMS. DISTRICT 2 (DEBRA CATES) DRAWS HER BOX FIRST, DISTRICT 3 (LISA KETTLER MARTIN) DRAWS NEXT, AND DISTRICT 4 (JOEL PATTERSON) DRAWS LAST. THEY OPEN THEIR BOXES TOGETHER AND COUNCIL MEMBER PATTERSON HAS DRAWN THE 1 YEAR TERM.

DISTRICT 4 (JOEL PATTERSON) WILL SERVE THE ONE (1) YEAR TERM OF OFFICE.

J. ADOPTION OF ORDINANCE NO. 2018-1277 AN ORDINANCE DECLARING THE RESULTS OF THE DRAWING OF LOTS PRESCRIBED BY SECTION 9.05(b) OF THE CITY'S HOME-RULE CHARTER

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE ORDINANCE NO. 2018-1277 DECLARING THE RESULTS OF THE DRAWING OF LOTS. IT WAS SECONDED BY COUNCIL MEMBER MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

ABSENT: COUNCIL MEMBER HOLLINGSWORTH

PLEASE MOVE DOWN TO THE PUBLIC HEARING

K. PROJECT OVERVIEW PRESENTATION FOR INCOMING CITY COUNCILMEMBERS BY FORT BEND COUNTY PRECINCT 3 COMMISSIONER ANDY MEYERS

COMMISSIONER ANDY MEYERS MAKES A PRESENTATION FOR NEW COUNCIL MEMBERS OF UPCOMING PROJECTS WITHIN FORT BEND COUNTY AND THE CITY OF FULSHEAR (FOR FULL COMMENTARY, PLEASE REQUEST AUDIO)

PLEASE MOVE TO THE CONSENT ITEMS FOR DISCUSSION AND ACTION

L. RECESS TO HONOR ELECTED OFFICIALS

(THIS AGENDA ITEM WAS HANDLED OUT OF ORDER, SEE PREVIOUS)

IX. PUBLIC HEARING

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on May 4, 2018 at 8:30 a.m., the hearing will be held at City Hall located at 30603 FM 1093. ~~The second hearing will be held by the~~

~~City Council on May 9, 2018 at 6:30 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road.~~ The second hearing has been re-scheduled to be held by the City Council on May 15, 2018 at 7:00 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road. Both hearings will allow all interested persons an opportunity to be heard.

The location of the premises in question is in the Downtown District, C Fulshear League, Abstract 29, Acres 4.99, specifically the location is at the northeast corner of FM 1093 and Syms Rd, Fulshear, Texas 77441.

The applicant's agent, Anderson Smith, of Capital Retail Properties, is seeking a Zoning Change pursuant to the Zoning Ordinance, Section 1-279, to take the current zoning from Downtown District to Commercial Use for commercial, retail, restaurant, office and/or medical space.

The applicant reserves the right to supplement this application and/or seek at the time of the hearing, such other approvals, interpretations, and/or waivers as may be requested or required by the applicant or the Board/Council.

A copy of said application and documents is on file at the City of Fulshear City Hall located at 30603 FM 1093 Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5 p.m. and Fridays from 8:00 a.m. to 3 p.m. in the City Secretary's office for all interested parties prior to said hearing.

If you have any questions regarding this request please call the City Secretary's office at 281-346-1796.

Posted: April 29, 2018

MAYOR GROFF OPENED THE PUBLIC HEARING AT 9:33 P.M.

JOSHUA DORRIS SPEAKS ON NEW COUNCIL AND MAKING DECISIONS ON PROPERTY.

KAYLEEN NELSON SPEAKS REGARDING THE REZONING OF THIS PROPERTY.

KAREN MARESH ARGUED THE POINT THAT OFFICIAL NOTICE WAS NOT DONE PROPERLY.

MAYOR GROFF CLOSED THE PUBLIC HEARING AT 9:41 P.M.

- X. **CITIZEN'S COMMENTS**-THIS IS AN OPPORTUNITY FOR CITIZENS TO SPEAK TO COUNCIL RELATING TO AGENDA AND NON-AGENDA ITEMS. SPEAKERS ARE ADVISED THAT COMMENTS CANNOT BE RECEIVED ON MATTERS WHICH ARE THE SUBJECT OF A PUBLIC HEARING ONCE THE HEARING HAS BEEN CLOSED. SPEAKERS ARE REQUIRED TO REGISTER IN ADVANCE AND MUST LIMIT THEIR COMMENTS TO THREE (3) MINUTES.

MAYOR GROFF ASKED MS. NELSON IF SHE WANTED TO SPEAK DURING CITIZEN'S COMMENTS (SHE SIGNED UP) BUT SHE SPOKE DURING THE PUBLIC HEARING.

MAYOR GROFF ASKED MS. MARESH IF SHE WANTED TO SPEAK DURING CITIZEN'S COMMENTS (SHE SIGNED UP) BUT SHE ALSO SPOKE DURING THE PUBLIC HEARING AND DID NOT WISH TO SPEAK.

DON MCCOY EXTENDED AN INVITATION TO COME TO THE CHAMBER MEETING ON JUNE 13TH.

JOSHUA DORRIS- ONE CONCERN IS SAFETY. THE GROWTH IS HAPPENING FAST IN THIS CITY. WE NEED TO BE PROACTIVE AND NOT REACTIVE.

XI. CITY'S MANAGER'S REPORT – BRIEFINGS OR UPDATES MAY BE PROVIDED REGARDING CITY SERVICES, ADMINISTRATIVE/PERSONNEL MATTERS, REAL ESTATE/DEVELOPMENT, INFRASTRUCTURE, EVENTS, REGULATIONS, COMMUNITY AND INTERGOVERNMENTAL RELATIONS ISSUES.

A. UPCOMING APPOINTMENT OF BOARD & COMMISSION MEMBERS

CITY MANAGER JACK HARPER WENT OVER ALL UPCOMING OPENINGS ON BOARDS AND COMMISSIONS (OPENINGS ON JUNE 2018) AND WENT OVER THE APPLICATION PROCESS. DEADLINE IS WEDNESDAY JUNE 13TH, 2018. ON TUESDAY, JUNE 19, 2018 THE CITY COUNCIL CAN MAKE APPOINTMENTS TO THESE BOARDS/COMMISSIONS.

B. GFOA DISTINGUISHED BUDGET ACHIEVEMENT AWARD

CITY OF FULSHEAR WAS HONORED BY THE GOVERNMENT FINANCE OFFICERS ASSOCIATION WITH THE GFOA DISTINGUISHED BUDGET ACHIEVEMENT AWARD. GFOA RECOGNIZED THE OUTSTANDING EFFORTS BY WES VELA, CHIEF FINANCIAL OFFICER.

XII. CONSENT ITEMS-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(S) MAY REQUEST ONE OR MORE ITEMS TO BE REMOVED FROM THE CONSENT AGENDA FOR A SEPARATE DISCUSSION AND ACTION.

A. CONSENT AND APPROVAL OF THE MARKET AT CROSS CREEK RANCH PARTIAL REPLAT NO. 2/PRELIMINARY PLAT (2ND REVIEW)

B. CONSENT AND APPROVAL OF TAMARRON LIFT STATION NO. 3/PRELIMINARY PLAT

C. CONSENT AND APPROVAL OF JORDAN RANCH STREET DEDICATION NO. 4/PRELIMINARY PLAT

D. CONSENT AND APPROVAL OF JORDAN RANCH SECTION 6/PRELIMINARY PLAT

E. CONSENT AND APPROVAL OF JORDAN RANCH SECTION 7/PRELIMINARY PLAT

F. CONSENT AND APPROVAL OF JORDAN RANCH SECTION 13/PRELIMINARY PLAT

G. CONSENT AND APPROVAL OF JORDAN RANCH SECTION 15/PRELIMINARY PLAT

H. CONSENT AND APPROVAL OF JORDAN RANCH SECTION 16/PRELIMINARY PLAT

- I. **CONSENT AND APPROVAL OF FULSHEAR TRACE STREET DEDICATION 2ND EXTENSION/FINAL PLAT**
- J. **CONSENT AND APPROVAL OF TAMARRON SECTION 38/FINAL PLAT**
- K. **CONSENT AND APPROVAL OF MINUTES FROM COUNCIL MEETING HELD ON APRIL 17, 2018**
- L. **CONSENT AND APPROVAL OF ORDINANCE NO. 2018-1278 AN ORDINANCE ADOPTING A SETTLEMENT AGREEMENT WITH SIENERGY, LP**
- M. **DISCUSSION AND APPROVAL OF GENERAL FUND REPORT ENDING APRIL 30, 2018**

COUNCIL MEMBER KAHLICH MADE A MOTION TO ACCEPT ITEMS A THROUGH M. MEMBERS ASKED TO TAKE ITEMS K AND M OUT. COUNCIL MEMBER KAHLICH REVISED HER MOTION TO APPROVE ITEMS A THROUGH J AND ITEM L. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

*AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL
NAYS: NONE
ABSENT: COUNCIL MEMBER HOLLINGSWORTH*

ITEM K – COUNCIL MEMBER MARTIN WANTED INFORMATION REGARDING JIM FATHEREE BEING A HOLDOVER ON THE MINUTES. GRADY RANDLE ANSWERS HER QUESTIONS.

A MOTION WAS MADE BY COUNCIL MEMBER POOL TO ACCEPT ITEM K AS SUBMITTED. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

*AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL
NAYS: NONE
ABSENT: COUNCIL MEMBER HOLLINGSWORTH*

ITEM M- COUNCIL MEMBER POOL ASKS A QUESTION REGARDING THE MUD LINE ITEM. WES VELA ANSWERS THE QUESTION. HE BROUGHT THE CHANGED DOCUMENT. A MOTION WAS MADE BY COUNCIL MEMBER POOL TO ACCEPT ITEM M. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

*AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL
NAYS: NONE
ABSENT: COUNCIL MEMBER HOLLINGSWORTH*

PLEASE MOVE BACK UP TO THE ELECTIONS SECTION ITEM H

XIII. BUSINESS

A. PRESENTATION OF A PROCLAMATION FOR NATIONAL PUBLIC WORKS WEEK

MAYOR GROFF READ A PROCLAMATION FOR NATIONAL PUBLIC WORKS WEEK. HE THANKED THE ENTIRE PUBLIC WORKS DEPARTMENT. SHARON VALIANTE ANNOUNCED BLAKE GRAPPE, PRESIDENT OF THE LOCAL PUBLIC WORKS ASSOCIATION ATTENDED THE MEETING TONIGHT. SHARON INTRODUCED THE PUBLIC WORKS STAFF.

B. PRESENTATION OF A PROCLAMATION FOR LAW ENFORCEMENT APPRECIATION WEEK

MAYOR GROFF READ A PROCLAMATION FOR LAW ENFORCEMENT APPRECIATION WEEK. CHIEF SEYMOUR SPOKE. MAYOR GROFF THANKED CHIEF, CAPTAIN AND ALL OFFICERS.

C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2018-1275 GRANTING A ZONING CHANGE FOR THE NORTHEAST CORNER OF FM 1093 AND SYMS ROAD (CAPITAL RETAIL PROPERTIES)

(FOR FULL COMMENTARY, PLEASE REQUEST AUDIO)

BRANT GARY GAVE AN OVERVIEW OF THE DOCUMENTS IN THE PACKET AND THE APPLICATION. HE WENT OVER THE PLANNING AND ZONING RECOMMENDATION TO APPROVE THIS ORDINANCE AND ZONING CHANGE. PER BRANT GARY, THE DEVELOPER HAS AGREED TO ALLOW FOR ACCESS TO THE GRAVESITE ON AN ADJACENT TRACT.

ANDERSON SMITH SPEAKS REGARDING HIS DEVELOPMENT. HE IS TRYING TO CREATE AN ENVIRONMENT TO KEEP CITIZENS SHOPPING/EATING WITHIN THE CITY. HE PLANS TO ENCOMPASS PATIOS AND KEEP SOME OF THE TREES. COUNCIL ASKS SEVERAL QUESTIONS AND MR. SMITH ANSWERS THEM.

THIS MUST BE APPROVED BY A 3/5 MAJORITY (5 MEMBERS TO APPROVE).

A MOTION TO ACCEPT ORDINANCE NO. 2018-1275 GRANTING A ZONING CHANGE FOR THE NORTHEAST CORNER OF FM 1093 AND SYMS ROAD WAS MADE BY COUNCIL MEMBER CATES. AND ADD AN AMENDMENT TO THE ZONING MAP REFLECTING THE CHANGE. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, PATTERSON, AND POOL

NAYS: COUNCIL MEMBERS KELLY AND MARTIN

ABSENT: COUNCIL MEMBER HOLLINGSWORTH

THIS ITEM DID NOT PASS. (MOTION FAILS)

XIV. EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE SEC. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.

A GOVERNMENTAL BODY MAY NOT CONDUCT A PRIVATE CONSULTATION WITH ITS ATTORNEY EXCEPT:

1) WHEN THE GOVERNMENTAL BODY SEEKS THE ADVICE OF ITS ATTORNEY ABOUT:

(A) PENDING OR CONTEMPLATED LITIGATION; OR

(B) A SETTLEMENT OFFER; OR

2) ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER.

UPDATE ON THREATENED LITIGATION

A MOTION WAS MADE BY COUNCIL MEMBER CATES TO ENTER INTO EXECUTIVE SESSION. IT WAS SECONDED BY COUNCIL MEMBER MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

ABSENT: COUNCIL MEMBER HOLLINGSWORTH

MAYOR GROFF ANNOUNCED COUNCIL WOULD GO INTO EXECUTIVE SESSION AT 10:38 P.M.

MAYOR GROFF RECONVENED THE MEETING AT 11:05 P.M. THERE WERE NO ACTIONS TO TAKE FROM EXECUTIVE SESSION.

XV. ADJOURNMENT

MAYOR PRO TEM KAHLICH MOVED TO ADJOURN. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

ABSENT: COUNCIL MEMBER HOLLINGSWORTH

MAYOR GROFF ADJOURNED THE MEETING AT 11:06 P.M.

ATTEST:



Kimberly Kopecky

Kimberly Kopecky, Interim City Secretary

Aaron Groff

Aaron Groff, Mayor