



# 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](http://WWW.FULSHEARTEXAS.GOV)

MAYOR: Jeff Roberts  
COUNCIL MEMBER: Kaye Kahlich

CITY COUNCIL:  
MAYOR PRO-TEM: Tricia Krenek  
COUNCIL MEMBER: Lauren Ashley  
COUNCIL MEMBER: Dana Hollingsworth

COUNCIL MEMBER: Stephen Gill  
COUNCIL MEMBER: Jim Fatheree

CITY MANAGER: C.J. Snipes

STAFF:  
CITY SECRETARY: D. Gordon Offord      CITY ATTORNEY: J. Grady Randle

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## CITY COUNCIL MINUTES OCTOBER 17, 2017

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### **I. CALL TO ORDER**

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR JEFF W. ROBERTS, TUESDAY, OCTOBER 17, 2017 AT 7:00 P.M. IN THE IRENE STERN COMMUNITY CENTER LOCATED AT 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS 77441 AND ALL CITIZENS WERE WELCOMED.

### **II. QUORUM & ROLL CALL**

A QUORUM WAS PRESENT. MAYOR ROBERTS STATED THAT COUNCIL MEMBER GILL WAS UNABLE TO BE PRESENT.

COUNCIL MEMBERS PRESENT:

JEFF W. ROBERTS, MAYOR

TRICIA KRENEK, MAYOR PRO TEM

LAUREN ASHLEY, COUNCIL MEMBER

JIM FATHEREE, COUNCIL MEMBER, AT LARGE

DANA HOLLINGSWORTH, COUNCIL MEMBER, DISTRICT 1

KAYE KAHLICH, COUNCIL MEMBER, DISTRICT 5

COUNCIL MEMBER(S) ABSENT:

STEPHEN GILL, COUNCIL MEMBER

CITY STAFF PRESENT:

D. (DIANA) GORDON OFFORD, CITY SECRETARY

C.J. SNIPES, CITY MANAGER

J. GRADY RANDLE, CITY ATTORNEY

PAULA RYAN, ASST. CITY MANAGER

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**CONT.- CITY STAFF:**

MICHELLE KILLEBREW, BUILDING OFFICIAL  
SHARON VALIANTE, PUBLIC WORKS DIRECTOR  
ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR  
ANGELA HAHN, COMMUNICATIONS COORDINATOR  
TONI VELIE, UTILITY SERVICE SUPERVISOR  
KENNY SEYMOUR, POLICE CHIEF

**OTHERS PRESENT:**

DON MCCOY  
PAUL SOLIS  
MATTHEW J. MUNDUCUIRAKA  
BARRY  
SAMUJEL BRIKHO  
MOHAMMED  
TREY DEVILLIER  
ED KNIGHT  
RICH MULLER  
JEFF AND TIFFANY MACEH  
MARK YENTZEN  
JANINE HUNFIO  
AND TEN OTHERS WHO FAILED TO SIGN IN

**III. INVOCATION – PASTOR DALE OLSON**

PASTOR OLSON FROM FAMILY HOPE PROVIDED THE 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.***

MAYOR ROBERTS LED THE AUDIENCE IN THE PLEDGE OF ALLEGIANCE TO THE U. S. FLAG.

**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 TO THE TEXAS FLAG.

**VI. PUBLIC HEARING – SPECIAL USE PERMIT**

**In compliance with the City of Fulshear Zoning Ordinance Number 2010-1069, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on October 6, 2017 at 8:30 a.m. in City Hall located at 30603 FM 1093. The second hearing will be held by the City Council on October 17, 2017 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 to be given an opportunity to be heard.**

The location of the premises in question is in the Downtown District, Lot 12 Block 7 of the Town of Fulshear, specifically the address is 8402 Wilson Street, Fulshear, Texas 77441. The applicant is seeking a Special Use Request pursuant to the Zoning Ordinance to permit the use of a structure to be Commercial Mixed Use, specifically for the use of Residential and Flower Shop.

Specific relief is requested from Section 1-193 (c) (2) (f) which states that the use of Retail; within the Downtown District is permitted if they are approved in the process outlined in section 1-283.

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 with the City Secretary located at the City of Fulshear- City Hall at 30603 FM 1093, Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5:00 p.m. and Fridays from 8:00 a.m. to 3 p.m. for your convenience.

Published: 9/25/2017

THE PUBLIC HEARING WAS OPENED AT 7:05 P.M.

MIKE HOPKE REQUESTED THAT COUNCIL CONSIDER THE PARKING ISSUE DOWNTOWN AS NEW BUSINESS COME TO THE AREA. HE ASKED THE COUNCIL TO ENVISION FIVE OR TEN YEARS FROM NOW.

THE PUBLIC HEARING WAS CLOSED AT 7:07 P.M.

**VII. CITIZEN COMMENTS- NO ACTION CAN BE TAKEN**

PAUL SOLIS-HE STATED HE IS A RESIDENT OF CROSS CREEK RANCH. HE STATED THAT JOHNSON DEVELOPMENT IS CLOSING ON A HOME THAT SEVEN ADULTS WILL BE LIVING THERE AS A COMMERCIAL BUSINESS (ASSISTED LIVING FACILITY). HE STATED IT WILL BE A 24/7 HOUR BUSINESS AND IS SEEKING HELP FROM THE CITY SO A COMMERCIAL BUSINESS CANNOT BE LOCATED IN A RESIDENTIAL AREA. (FOR ALL THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING)

MATHEW J. MUNDUCUIRAKUR- DECLINE TO SPEAK (POTENTIAL COMMERCIAL BUSINESS IN RESIDENTIAL AREA)

BARRY- DECLINE TO SPEAK--(POTENTIAL COMMERCIAL BUSINESS IN RESIDENTIAL AREA)

SAMUEL BRIKHO- HE STATED THAT HE IS A RESIDENT OF CROSS CREEK RANCH. SAME ISSUE AS STATED BY MR. SOLIS. HE STATED THAT HE HAS CONTACTED "CIA" SERVICES THAT SUPPOSE TO REPRESENT HOMEOWNERS AND CLEARLY STATES IN THAT CHARTER THAT COMMERCIAL BUSINESS ARE NOT ALLOWED BUT HAVE NOT RECEIVED A SATISFACTORY

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ANSWER FROM THEM. HE WANTS TO KNOW HOW THE CITY CAN ASSIST HOME OWNERS TO SEE THAT CIA FOLLOW THEIR RULES AND REGULATIONS.  
(FOR ALL THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING)

MOHAMMED—DECLINE TO SPEAK

ED KNIGHT- HE STATED HE WANTED TO TALK ABOUT THE PROPOSED ANNEXATION. HE STATED HE WANTS TO START WITH THE HISTORY THE CITY OF FULSHEAR WITH THE HARRISON INTERESTS. (FOR ALL THE COMMENTS, REQUEST A COPY OF TAPE RECORDING)

RICH MULLER- HE STATED HE IS HERE ON THE SAME ISSUE AS ED. HE STATED, I UNDER STANDS CITY’S DILEMMA WITH THE ENACTMENT OF SENATE BILL 6 BUT THAT DOES NOT CHANGE DEVELOPMENT AGREEMENTS. MR. MULLER STATES THAT THE CITY IS PROPOSING TO ANNEX 500 SOMETHING ACRES OUT OF A 3500 TRACT OF LAND AND HE WOULD HOPE THAT BOTH PARTIES WOULD HAVE AN OPPORTUNITY TO DISCUSS AND A DEVELOPMENT AGREEMENT AND STRATEGIC PLAN AT SOME TIME IN THE FUTURE BUT TO GO ABOUT IT THIS WAY CAUSES LOTS OF PROBLEMS AND MAY HAVE SOME UNINTENDED CONSEQUENCES. (FOR ALL THE COMMENTS, REQUEST A COPY OF TAPE RECORDING)

MAYOR ROBERTS STATED WE WILL NOW MOVE TO ITEM 8—THE CONSENT AGENDA.

**VIII. 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 MEMBERS MAY REQUEST ONE OR MORE ITEMS TO BE REMOVED FROM THE CONSENT AGENDA FOR A SEPARATE DISCUSSION AND ACTION.

- A. CONSENT AND APPROVAL OF KIDDOS RANCH/FINAL PLAT**
- B. CONSENT AND APPROVAL OF TAMARRON SECTION 36/FINAL PLAT**
- C. CONSENT AND APPROVAL OF TAMARRON SECTION 43/FINAL PLAT**
- D. CONSENT AND APPROVAL OF CROSS CREEK BEND LANE EXTENSION NO. 11-STREET DEDICATION/PRELIMINARY PLAT**
- E. CONSENT AND APPROVAL OF THE BROOKS AT CROSS CREEK RANCH SECTION 3/FINAL PLAT**
- F. CONSENT AND APPROVAL OF CREEK FALLS AT CROSS CREEK RANCH SECTION 10/FINAL PLAT**
- G. CONSENT AND APPROVAL OF CREEK FALLS AT CROSS CREEK RANCH SECTION 11/FINAL PLAT**
- H. CONSIDERATION OF ACCEPTANCE OF UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR THE SOUTHEAST CORNER OF THE MARKET AT CROSS CREEK RANCH**
- I. CONSENT AND APPROVAL TO APPROVE REQUEST FROM DR HORTON/ LJA ENGINEERING FOR A TWELVE (12) MONTH EXTENSION OF APPROVAL FOR TAMARRON SECTION 57/ FINAL PLAT**
- J. CONSENT AND APPROVAL OF MONTHLY FINANCIAL REPORT FOR SEPTEMBER 2017**

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**K. CONSENT AND APPROVAL OF MINUTES FROM CITY COUNCIL MEETINGS ON SEPT 5, SEPT. 12, SEPT. 16, SEPT. 19, SEPT. 24, SEPT. 26, AND SEPT. 29, 2017**

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO HANDLE ITEMS A,B, AND C FROM THE CONSENT AGENDA SEPARATELY. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK  
NAYS: NONE  
ABSENT: COUNCIL MEMBER GILL  
MOTION PASSES

A MOTION WAS MADE BY COUNCIL MEMBER ASHLEY TO APPROVE CONSENT AGENDA ITEMS D-K. IT WAS SECONDED BY MAYOR PRO TEM KRENEK. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK  
NAYS: NONE  
ABSENT: COUNCIL MEMBER GILL  
MOTION PASSES

MAYOR ROBERTS STATED WE WILL MOVE TO CONSENT AGENDA A. HE STATED THAT HE UNDERSTANDS ITEM A (KIDDOS RANCH) HAS BEEN PULLED FROM THE AGENDA. MR. SNIPE, CITY MANAGER, STATED YES. HE ALSO STATED THAT ITEMS B AND C HAVE BEEN CORRECTED BUT FINAL PLATS HAS NOT BEEN RECEIVED AT CITY OFFICE AS YET.

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE ITEMS B AND C. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK  
NAYS: NONE  
ABSENT: COUNCIL MEMBER GILL

MOTION PASSES

**IX. BUSINESS**

**A. PRESENTATION OF PROCLAMATIONS AND PLACARD RECOGNIZING THE COMMUNITY SPIRIT OF CERTAIN RESIDENTS IN RESPONSE TO HURRICANE HARVEY**

MAYOR ROBERTS RECOGNIZED FIVE OF OUR COMMUNITY YOUTH FOR THEIR SERVICE DURING HURRICANE HARVEY. THEY ARE ANNA GIULIANI, EMILY MACEK, HALEY MACEK, SHELBY MACEK, AND ADDISON ROOSE. THEY SET UP A LEMONDADE STAND TO RAISE FUNDS FOR HARVEY RELIEF. EACH INDIVIDUALLY RECEIVED A CERTIFICATE OF SERVICE.

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**B. PRESENTATION OF PROCLAMATION RECOGNIZING GREATER ZACHERY BAPTIST CHURCH'S 125<sup>TH</sup> ANNIVERSARY**

MAYOR ROBERTS PRESENTED A PROCLAMATION TO THE PASTOR, REV. JACKIE GILMORE OF THE GREATER ZACHERY BAPTIST CHURCH FOR THEIR 125 YEAR ANNIVERSARY AND SERVICE TO THE COMMUNITY.

**C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SPECIAL USE PERMIT FOR 8402 WILSON STREET, FULSHEAR, TEXAS 77441**

MICHELLE KILLEBREW, BUILDING OFFICIAL, STATED THIS SPECIAL USE IS FOR RESIDENTIAL AND BUSINESS (MIX USE). SHE STATED THE PARKING WILL BE PARARELL AS A RECOMMENDATION FROM THE CITY ENGINEER, DAVID LEYENDECKER.

A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH TO APPROVE A SPECIAL USE PERMIT FOR 8402 WILSON STREET, FULSHEAR, TEXAS 77441. IT WAS SECONDED BY MAYOR PRO TEM KRENEK. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL

MOTION PASSES

**D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1260 AN ORDINANCE OF THE CITY OF FULSHEAR APPROVING THE ANNEXATION AND SERVICE PLAN FOR A CERTAIN 89.25 ACRE TRACT ON PETITION OF LANDOWNER, LAMAR C.I.S.D. HIGH SCHOOL NO. 5 COMPLEX**

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE ORDINANCE NO. 2017-1260 AN ORDINANCE OF THE CITY OF FULSHEAR APPROVING THE ANNEXATION AND SERVICE PLAN FOR A CERTAIN 89.25 ACRE TRACT ON PETITION OF LANDOWNER, LAMAR C.I.S.D. HIGH SCHOOL NO. 5 COMPLEX. IT WAS SECONDED BY COUNCIL MEMBER FATHEREE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL

MOTION PASSES

**E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1261 CALLING PUBLIC HEARINGS AND DIRECT STAFF TO CREATE A SERVICE PLAN IN RELATION TO THE ANNEXATION OF A CERTAIN TRACT OF LAND DESCRIBED AS A 582.7 APPORTIONED FROM THE R.H. KUYKENDALL SURVEY, ABSTRACT 274, J.C. McDONALD SURVEY, ABSTRACT 290, THE MORRIS & CUMMINGS SURVEY, ABSTRACT 294, & THE E. JR. LATHAM SURVEY, ABSTRACT 50, FORT BEND COUNTY, TEXAS**

COUNCIL WAS SILENT. ITEM "E" DIES FOR A LACK OF MOTION.

CORRECTION PER MAYOR PRO TEM KRENEK- "COUNCIL MEMBER FATHEREE CALLED FOR A "POINT OF ORDER" THAT DISCUSSION IS PROHIBITED UNLESS THERE IS A PENDING MOTION. MAYOR ROBERTS GRANTED THE "POINT OF ORDER"." COUNCIL WAS SILENT AND NO ACTION WAS TAKEN.



**F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-366 A RESOLUTION OF THE CITY OF FULSHEAR ADOPTING UPDATED EMPLOYEE CLASSIFICATION AND COMPENSATION PLAN FOR FISCAL YEAR 2017-2018**

PAULA RYAN, ASSISTANT CITY MANAGER, PRESENTED TO THE COUNCIL REGARDING THE UPDATE OF THE EMPLOYEE CLASSIFICATION AND COMPENSATION PLAN. SHE STATED THIS PLAN WOULD PERIODICALLY REQUIRE UPDATING DUE TO ANY CHANGES ADOPTED BY THE COUNCIL WHEN MAKING CHANGES IN THE CITY'S BUDGET PLAN. THIS UPDATE REFLECTS THE PREVIOUSLY APPROVED AND ADOPTED 6% COLA FOR FY 2018 BY THE COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER ASHLEY TO APPROVE RESOLUTION NO. 2017-366 A RESOLUTION OF THE CITY OF FULSHEAR ADOPTING UPDATED EMPLOYEE CLASSIFICATION AND COMPENSATION PLAN FOR FISCAL YEAR 2017-2018. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL

MOTION PASSES

**G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-367 A RESOLUTION OF THE CITY OF FULSHEAR APPROVING APPLICATION FOR SOLID WASTE GRANT PROGRAM THROUGH HGAC**

SHARON VALIANTE, PUBLIC WORKS DIRECTOR, PRESENTED TO COUNCIL AND RECOMMENDS THAT COUNCIL SUPPORT THE H-GAC SOLID WASTE GRANT APPLICATION.

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE RESOLUTION NO. 2017-367 A RESOLUTION OF THE CITY OF FULSHEAR APPROVING APPLICATION FOR SOLID WASTE GRANT PROGRAM THROUGH HGAC. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL

MOTION PASSES

**H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHAPTER 380 AGREEMENT BETWEEN THE CITY OF FULSHEAR AND PERRY HOMES FOR THE DEDICATION AND ALLOCATION OF SALES AND USE TAX**

CITY ATTORNEY, J. GRADY RANDLE, PRESENTED TO COUNCIL. HE STATED THIS IS AN AGREEMENT FOR SALES AND USE TAX ALLOCATION BETWEEN THE CITY OF FULSHEAR AND PERRY HOMES. (FOR ALL THE COMMENTS, REQUEST A COPY OF TAPE RECORDING)

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE CHAPTER 380

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AGREEMENT BETWEEN THE CITY OF FULSHEAR AND PERRY HOMES FOR THE DEDICATION AND ALLOCATION OF SALES AND USE TAX. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL

MOTION PASSES

**I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1262 AN ORDINANCE OF THE CITY OF FULSHEAR REPEALING AND REPLACING ORDINANCE NO. 2013-1105, REGARDING THE SCHEDULE OF FEES FOR BUILDING PERMITS AND PROVIDING FOR THE RATES AND CONDITIONS FOR RENTAL OF THE IRENE STERN COMMUNITY CENTER**

C.J. SNIPES, CITY MANAGER, REQUESTED THAT ITEM "I" BE POSTPONED.

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO POSTPONE. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL

MOTION TO POSTPONE

**J. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1263 AN ORDINANCE OF THE CITY OF FULSHEAR AMENDING ORDINANCE NO. 2014-1131 REGARDING REVISED SOLID WASTE AND RECYCLING FEES FOR SERVICE**

C.J. SNIPES, CITY MANAGER, PRESENTED TO THE COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER HOLLINGSWORTH TO APPROVE ORDINANCE NO. 2017-1263 AN ORDINANCE OF THE CITY OF FULSHEAR AMENDING ORDINANCE NO. 2014-1131 REGARDING REVISED SOLID WASTE AND RECYCLING FEES FOR SERVICE. IT WAS SECONDED BY MAYOR PRO TEM KRENEK. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL

MOTION PASSES



**K. DISCUSSION OF POTENTIAL CHANGE IN DATE FOR REGULAR NOVEMBER COUNCIL MEETING**

NO ACTION WAS TAKEN

**X. 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**

**SEC. 551.074. PERSONNEL MATTERS; CLOSED MEETING**

**1) TO DELIBERATE THE EMPLOYMENT, EVALUATION, OR DUTIES, OF A PUBLIC OFFICER OR EMPLOYEE; OR**

**2) TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE.**

**REVIEW OF CONTRACT FOR CITY MANAGER**

\_\_\_\_\_MAYOR ROBERTS ANNOUNCED THAT COUNCIL WOULD ENTER INTO EXECUTIVE SESSION AT 7:46 P.M. AND A QUORUM WAS PRESENT BUT COUNCIL WOULD TAKE A FIVE-MINUTE BREAK BEFORE SESSION STARTS.

MAYOR ROBERTS ANNOUNCED THAT COUNCIL WOULD RECONVENED BACK INTO REGULAR SESSION AND A QUORUM WAS PRESENT. MAYOR ROBERTS ASKED IF ANY ACTION NEEDS TO BE TAKEN FROM THE EXECUTIVE SESSION. MAYOR PRO TEM KRENEK RESPONDED, "NO ACTION TO BE TAKEN".

**XI. ADJOURNMENT**

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO ADJOURN AT 9:07 P.M. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KALICH, AND KRENEK

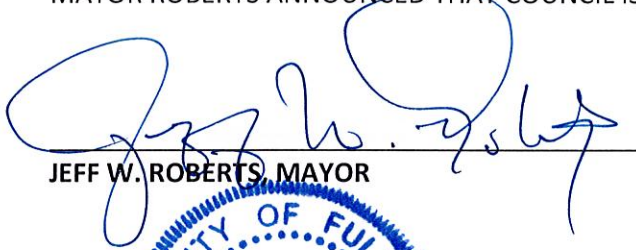
NAYS: NONE

ABSENT: COUNCIL MEMBER GILL

MOTION PASSES

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MAYOR ROBERTS ANNOUNCED THAT COUNCIL IS NOW ADJOURNED.



JEFF W. ROBERTS, MAYOR



ATTEST



D. (DIANA) GORDON OFFORD, CITY SECRETARY