



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

MAYOR PRO-TEM: Tricia Krenek

COUNCIL MEMBER: Stephen Gill

COUNCIL MEMBER: Kaye Kahlich

COUNCIL MEMBER: Tommy Kuykendall

COUNCIL MEMBER: Jim Fatheree

COUNCIL MEMBER: Dana Hollingsworth

STAFF:

ACTING CITY MANAGER: Kenny Seymour

CITY SECRETARY: D. Gordon Offord

CITY ATTORNEY: J. Grady Randle

CITY COUNCIL MINUTES MARCH 20, 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 KATY FULSHEAR ROAD, FULSHEAR, TEXAS AT 7:00 P.M. MAYOR ANNOUNCED THAT TWO MEMBERS WERE ABSENT BUT A QUORUM WAS AVAILABLE.

II. QUORUM & ROLL CALL

COUNCIL MEMBERS PRESENT:

JEFF W. ROBERTS, MAYOR

TRICIA KRENEK, MAYOR PRO TEM

DANA HOLLINGSWORTH, COUNCIL MEMBER

KAYE KAHLICH, COUNCIL MEMBER

TOMMY KUYKENDALL, COUNCIL MEMBER

COUNCIL MEMBERS ABSENT:

STEPHEN GILL, COUNCIL MEMBER

JIM FATHEREE, COUNCIL MEMBER

CITY STAFF PRESENT:

D. (DIANA) GORDON OFFORD, CITY SECRETARY

SHARON VALIANTE, PUBLIC WORKS DIRECTOR

BRANT GARY, ACTING CITY MGR/EXECUTIVE DIRECTOR OF PLANNING & DEVELOPMENT

KENNY SEYMOUR, CITY MANAGER/CHIEF OF POLICE

ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR

DAVID LEYENDECKER, CITY ENGINEER

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CONTINUE- CITY STAFF PRESENT:
J. GRADY RANDLE, CITY ATTORNEY
OFFICER KLINT LANDRY

OTHERS:
DIOGU DIOGU
TREY DEVILLIER
RHONDA KUYKENDALL
JEFF MARTIN
DEBRA CATES
DON MCCOY
OWEN BEMENT
AND 21 OTHERS WHO DID NOT SIGN IN

III. INVOCATION- DR. DALE OLSON, FAMILY HOPE

DR. DALE OLSON WAS UNABLE TO ATTEND. J. GRADY RANDLE, CITY ATTORNEY, LED 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. 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.

DIOGU DIOGU II- SPOKE TO CITY COUNCIL REGARDING THE POLICE CHIEF BEING NAMED ACTING CITY MANAGER. (FOR FULL COMMENTARY, REQUEST AUDIO)

RHONDA KUYKENDALL- SPOKE TO CITY COUNCIL INVITING ALL TO A COMMUNITY MEETING AT PARKWAY FELLOWSHIP REGARDING HUMAN TRAFFICKING

OWEN BEMENT- SPOKE TO CITY COUNCIL REGARDING CITY COUNCIL VACANCY ON COUNCIL AND VACANCY OF CITY MANAGER (FOR FULL COMMENTARY, REQUEST AUDIO)

VII. CITY'S MANAGER'S REPORT

ACTING CITY MANAGER, KENNY SEYMOUR ANNOUNCED THERE IS NOTHING TO REPORT

VIII. 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 PRELIMINARY PLAT FOR CREEK COVE AT CROSS CREEK RANCH SECTION 14

B. CONSENT AND APPROVAL OF PRELIMINARY PLAT FOR FULBROOK ON FULSHEAR CREEK SECTION 13

C. CONSENT AND APPROVAL OF FINAL PLAT FOR FULSHEAR BEND DRIVE EXTENSION NO. 3

D. CONSENT AND APPROVAL OF FINAL PLAT FOR CC FM 1093 TRACT 3/FINAL PLAT

E. MINUTES OF CITY COUNCIL MEETINGS FEBRUARY 6, FEBRUARY 12, & FEBRUARY 20, 2018

F. DISCUSSION AND APPROVAL OF GENERAL FUND REPORT ENDING JANUARY 31, 2018

G. CONSENT AND APPROVAL OF RESOLUTION 2018-382 REGARDING CITY OF FULSHEAR PARTICIPATION AND ENROLLMENT IN THE LARRY'S TOOL BOX PROGRAM FOR 2018 AS ESTABLISHED BY NORTH FORT BEND WATER AUTHORITY

H. CONSENT AND APPROVAL OF THE UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR FULBROOK ON FULSHEAR CREEK SECTION EIGHT

I. CONSENT AND APPROVAL OF THE STREET ACCEPTANCE FOR FULBROOK ON FULSHEAR CREEK SECTION EIGHT

DIANA OFFORD ANNOUNCED A NEED FOR CORRECTION ON MINUTES FROM FEBRUARY 20TH. THE WORD APPLAUDED NEEDS TO BE APPALLED.

A MOTION WAS MADE BY COUNCIL MEMBER KUYKENDALL TO PULL ITEM "E" AND MAKE THAT CORRECTION ON A SEPARATE MOTION. IT WAS SECONDED BY COUNCIL MEMBER KRENEK. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL AND FATHEREE

A MOTION WAS MADE BY MAYOR PRO-TEM KRENEK TO APPROVE ITEMS "A-D and F-I". IT WAS SECONDED BY COUNCIL MEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL AND FATHEREE

MOVING BACK TO ITEM "E". COUNCIL MEMBER KUYKENDALL REQUESTS DIANA OFFORD CHANGE APPLAUDED TO APPALLED (REGARDING JOHN DOWDALL CITIZEN COMMENTS). COUNCIL MEMBER KUYKENDALL MAKES A MOTION TO APPROVE WITH THE CORRECTION AS AMENDED. IT WAS SECONDED BY MAYOR PRO-TEM KRENEK. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL AND FATHEREE

IX. BUSINESS

A. CONSIDERATION AND FORMAL ADOPTION OF THE 2017-2018 CITY COUNCIL STRATEGIC PLAN & REPORT

BRANT GARY INTRODUCES RON COX TO PRESENT THIS ITEM. RON COX BRIEFLY DISCUSSES THE PLAN AND REPORT. (FOR FULL COMMENTARY, REQUEST AUDIO)

MAYOR PRO-TEM KRENEK THANKS MR. COX FOR HIS WORK.

COUNCIL MEMBER KUYKENDALL THANKS MR. COX AND CITY COUNCIL FOR PUTTING THIS DOCUMENT TOGETHER.

COUNCIL MEMBER KAHLICH STATES THEY WERE LUCKY A LOT OF THE FOUNDATION PIECES HAD BEEN LAID FOR THEM BY PRIOR CITY COUNCIL AND THE MAYOR BEFORE.

MAYOR ROBERTS ECHOED WHAT COUNCIL MEMBER KAHLICH EXPRESSED AND APPLAUDED THE FORMER COUNCIL MEMBERS FOR THEIR EFFORT.

(FOR FULL COMMENTARY, REQUEST AUDIO)

A MOTION WAS MADE BY MAYOR PRO-TEM KRENEK TO FORMALLY ADOPT THE 2017-2018 CITY COUNCIL STRATEGIC PLAN & REPORT. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH.

COUNCIL MEMBER KAHLICH STATED IT SHOULD BE ON THE CITY WEBSITE.

THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL AND FATHEREE

B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE 2018-1274 AMENDING THE CITY OF FULSHEAR CODE SEC. 34-478 REGARDING GUARANTEE OF PERFORMANCE

BRANT GARY EXPLAINS THIS ITEM TO COUNCIL. HE OUTLINES THE PLATTING PROCESS. HE EXPLAINS HOW THIS WOULD AFFECT PERMITTING AND INSPECTIONS. HE RECOMMENDS APPROVAL.

(FOR FULL COMMENTARY, REQUEST AUDIO)

A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH TO APPROVE ORDINANCE 2018-1274 AMENDING THE CITY OF FULSHEAR CODE SEC. 34-478 REGARDING GUARANTEE OF PERFORMANCE. IT WAS SECONDED BY COUNCIL MEMBER KUYKENDALL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL AND FATHEREE

C. DISCUSSION OF INFORMATION PERTAINING TO AND POSSIBLE ACTION REGARDING FILLING THE VACANT CITY COUNCIL AT-LARGE #1 POSITION

MAYOR EXPLAINS MR. FATHEREE SENT IN A LETTER OF RESIGNATION FEBRUARY 6TH. MAYOR PRO-TEM KRENEK MAKES A MOTION TO FORMALLY ACCEPT MR. FATHEREE'S RESIGNATION FROM CITY COUNCIL AT-LARGE POSITION 1. IT WAS SECONDED BY COUNCIL MEMBER KUYKENDALL.

COUNCIL MEMBER KAHLICH WOULD LIKE THE CITY TO POST SOMETHING ON THE WEBSITE LETTING PEOPLE KNOW THERE IS A VACANCY ON CITY COUNCIL AND ASK FOR APPLICATIONS. IT WOULD HELP TO HAVE MORE TRANSPARENCY. (FOR FULL COMMENTARY, REQUEST AUDIO)

COUNCIL MEMBER KUYKENDALL STATED HE WOULD LIKE AN APPLICATION PROCESS AS WELL BUT KEEP IT TO A CONDENSE TIME FRAME.

MAYOR PRO-TEM KRENEK STATES SHE RESPECTS MS. KAHLICH'S DESIRED METHOD. SHE ASKS STAFF TO MAKE THIS POST ON OUR WEBSITE.

DISCUSSION CONTINUES BETWEEN COUNCIL MEMBERS.

COUNCIL MEMBER HOLLINGSWORTH WOULD LIKE AN ALERT THROUGH FACEBOOK.

(FOR FULL COMMENTARY, REQUEST AUDIO)

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.**

(A) UPDATE ON SELECTING CITY MANAGER

A MOTION WAS MADE BY MAYOR PRO-TEM KRENEK TO MOVE TO EXECUTIVE SESSION. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH.

MAYOR ROBERTS CALLS FOR EXECUTIVE SESSION AT 7:37 P.M.

COUNCIL MEMBER KUYKENDALL EXPLAINS THERE IS A TIMELINE BY SGR. SELECT CITY MANAGER AND APPROVE CONTRACT ON MARCH 20.

THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL

COUNCIL ADJOURNS TO EXECUTIVE SESSION AT 7:38 P.M.

XI. DISCUSSION OF AND POSSIBLE ACTION RESULTING FROM EXECUTIVE SESSION

THE CITY COUNCIL RECONVENED BACK INTO OPEN SESSION AT 8:15 P.M. MAYOR ASK COUNCIL MEMBERS IF THERE WAS ANY ACTION TO BE TAKEN.

MAYOR PRO-TEM KRENEK MADE A MOTION TO APPROVE HIRING OF OUR CITY MANAGER AND OFFERED A CONTRACT TO JACK HARPER WITH AN EFFECTIVE DATE OF APRIL 9, 2018. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH.

COUNCIL MEMBER KUYKENDALL ANNOUNCED MIKE TANNER FROM SGR TO GIVE THE PROCESS FOR HIRING. MR. TANNER THANKED THE CITY COUNCIL FOR GIVING HIM THE OPPORTUNITY TO DO THE SEARCH. (FOR FULL COMMENTARY, REQUEST AUDIO)

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

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL

MAYOR CONGRADULATED AND WELCOMED MR. JACK HARPER TO FULSHEAR.

XII. ADJOURNMENT

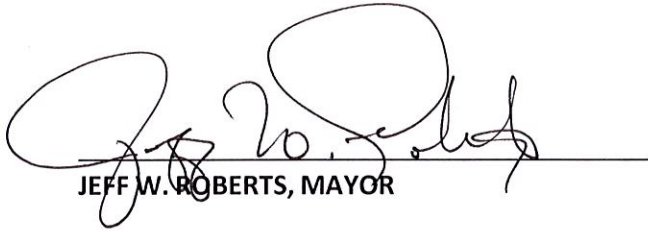
A MOTION WAS MADE BY MAYOR PRO-TEM KRENEK TO ADJOURN. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: COUNCIL MEMBER GILL

MAYOR ANNOUNCED THE MEETING ADJOURNED AT 8:23 P.M.


JEFF W. ROBERTS, MAYOR



ATTEST:


KIMBERLY KOPECKY, INTERIM CITY SECRETARY