



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: Aaron Groff

MAYOR PRO-TEM: Kaye Kahlich

COUNCIL MEMBER: Kent Pool

COUNCIL MEMBER: Dana Hollingsworth

COUNCIL MEMBER: Debra Cates

COUNCIL MEMBER: Lisa Martin

COUNCIL MEMBER: Joel Patterson

COUNCIL MEMBER: John Kelly

STAFF:

CITY MANAGER: Jack Harper

CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

CITY COUNCIL MEETING MARCH 19, 2019

I. CALL TO ORDER

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR GROFF AT IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS AT 7:05 P.M. A QUORUM WAS PRESENT.

II. QUORUM & ROLL CALL

COUNCIL MEMBERS PRESENT:

*AARON GROFF, MAYOR
KAYE KAHLICH, MAYOR PRO-TEM
DEBRA CATES
JOEL PATTERSON
JOHN KELLY
LISA MARTIN
KENT POOL*

COUNCIL MEMBERS ABSENT:

DANA HOLLINGSWORTH

CITY STAFF PRESENT:

*JACK HARPER
BRANT GARY
KIMBERLY KOPECKY
ZACH GOODLANDER
ANGELA FRITZ*

SHARON VALIANTE
DAVID LEYENDECKER
GRADY RANDLE
WES VELA
KENNY SEYMOUR
MIKE MCCOY
JOHN MICHAEL PENA

OTHERS PRESENT:

V.R.
BRYAN THOMAS
AND ABOUT 8 OTHERS THAT DID NOT SIGN IN

III. INVOCATION- Reverend Jackie Gilmore, Greater Zachery Baptist Church

THE INVOCATION WAS GIVEN BY REVEREND JACKIE GILMORE.

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

BOTH THE PLEDGE OF ALLEGIANCE TO THE U.S. FLAG AND PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG WERE LED BY MAYOR GROFF.

VI. PUBLIC HEARING

Notice is hereby given to all interested persons that the City Council of the City of Fulshear, Texas, will conduct a Public Hearing as follows:

SUBJECT: Consider and take action on proposed amendments to the City of Fulshear Code of Ordinances, Chapter 10, Article V. – Sexually Oriented Businesses, to include amendments to zoning regulations regarding Sexually Oriented Businesses within the Industrial District.

DATE OF HEARING: March 19, 2019

TIME: 7:00 p.m.

LOCATION: Irene Stern Community Center, 6920 Katy Fulshear Road, Fulshear, Texas 77441

PURPOSE: To hear public comments on proposed amendments to the City of Fulshear Code of Ordinances, Chapter 10, Article V. – Sexually Oriented Businesses, to include amendments to zoning regulations regarding Sexually Oriented Businesses within the Industrial District.

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 City Council's agenda to

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

MAYOR GROFF OPENED THE PUBLIC HEARING AT 7:09 P.M.

NO CITIZENS SPOKE.

MAYOR GROFF CLOSED THE PUBLIC HEARING AT 7:10 P.M.

- VII. 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.

NO CITIZENS SIGNED UP TO SPEAK.

- VIII. 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. CITY COUNCIL- APRIL AVAILABILITY

JACK HARPER ASKED COUNCIL TO EMAIL THEIR APRIL AVAILABILITY TO THE CITY SECRETARY SO ADDITIONAL MEETINGS CAN BE SCHEDULED IN APRIL (ON TUESDAYS).

- IX. 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. CONSIDERATION AND POSSIBLE ACTION REGARDING AN UPDATE TO THE CROSS CREEK RANCH GENERAL PLAN**
- B. CONSENT AND APPROVAL OF JORDAN RANCH STREET DEDICATION NO. 3/PRELIMINARY PLAT**
- C. CONSENT AND APPROVAL OF JORDAN RANCH STREET DEDICATION NO. 5/PRELIMINARY PLAT**
- D. CONSENT AND APPROVAL OF LANDMARK SALES TRACT/PRELIMINARY PLAT**
- E. CONSENT AND APPROVAL OF POLO RANCH BOULEVARD SECTION 2 AND L. WATERS PARKWAY STREET DEDICATION/PRELIMINARY PLAT**
- F. CONSENT AND APPROVAL OF POLO RANCH SECTION 4/PRELIMINARY PLAT**
- G. CONSENT AND APPROVAL OF POLO RANCH SECTION 5/PRELIMINARY PLAT**

- H. CONSENT AND APPROVAL OF POLO RANCH SECTION 6/PRELIMINARY PLAT
- I. CONSENT AND APPROVAL OF FULBROOK ON FULSHEAR CREEK SECTION 14/FINAL PLAT
- J. CONSENT AND APPROVAL OF CITY COUNCIL MINUTES FROM THE CITY COUNCIL MEETINGS HELD FEBRUARY 13, 2019 (SPECIAL), FEBRUARY 19, 2019 (SPECIAL), AND FEBRUARY 19, 2019 (REGULAR)
- K. CONSENT AND APPROVAL OF THE MONTHLY GENERAL AND UTILITY FUND FINANCIALS
- L. CONSENT AND APPROVAL OF THE CERTIFICATION OF UNOPPOSED CANDIDATES AND ORDINANCE NO. 2019-1291, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS, DECLARING THAT THE UNOPPOSED CANDIDATES FOR COUNCIL MEMBER AT-LARGE, COUNCIL MEMBER DISTRICT 1, DISTRICT 4, AND DISTRICT 5 ARE DULY ELECTED; CANCELLING THE MAY 4, 2019 GENERAL MUNICIPAL ELECTION

MAYOR PRO-TEM KAHLICH ASKED TO REMOVE ITEMS D, E, AND L FOR DISCUSSION.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE ITEMS A-C AND F-K. 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 D

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE ITEM D. 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

ITEM E

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE ITEM E. 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 L

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE ITEM L. 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

X. BUSINESS

A. PRESENTATION AND ACCEPTANCE OF AUDITED FY2018 ANNUAL FINANCIAL REPORT

MAYOR GROFF EXPLAINED TO COUNCIL THAT THE ACTION WOULD NOT BE FOR APPROVING THIS ITEM, IT WOULD BE TO RECEIVE THIS ITEM.

WES VELA INTRODUCED LUPE GARCIA WITH WHITLEY PENN. MR. GARCIA GAVE A PRESENTATION ON THE FY2018 AUDITED FINANCIAL REPORT.

A MOTION WAS MADE BY COUNCIL MEMBER POOL TO RECEIVE THE AUDITED REPORTS FOR FY 2018. IT WAS SECONDED BY MAYOR PRO-TEM 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

B. CONSIDERATION AND POSSIBLE ACTION ON ORDINANCE NO. 2019-1292, AN ORDINANCE REGARDING PROPOSED AMENDMENTS TO THE CITY OF FULSHEAR CODE OF ORDINANCES, CHAPTER 10, ARTICLE V. – SEXUALLY ORIENTED BUSINESSES, TO INCLUDE AMENDMENTS TO ZONING REGULATIONS REGARDING SEXUALLY ORIENTED BUSINESSES WITHIN THE INDUSTRIAL DISTRICT

ZACH GOODLANDER BRIEFLY EXPLAINED THIS AGENDA ITEM TO COUNCIL

A MOTION WAS MADE BY MAYOR PRO-TEM KALICH TO APPROVE ORDINANCE NO. 2019-1292. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: COUNCIL MEMBER HOLLINGSWORTH

XI. **EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE SEC. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.**

THIS CHAPTER DOES NOT REQUIRE A GOVERNMENTAL BODY TO CONDUCT AN OPEN MEETING:

1) TO DISCUSS OR DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR

2) TO DELIBERATE THE OFFER OF FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT DESCRIBED BY SUBDIVISION (1).

A MOTION TO ENTER INTO EXECUTIVE SESSION WAS MADE BY COUNCIL MEMBER MARTIN. IT WAS SECONDED BY MAYOR PRO-TEM KALICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: COUNCIL MEMBER HOLLINGSWORTH

MAYOR GROFF STARTED EXECUTIVE SESSION AT 7:38 P.M.

MAYOR AND COUNCIL RECONVENED BACK INTO REGULAR SESSION AT 8:44 P.M.

XII. **ACTION FROM EXECUTIVE SESSION**

THERE WAS NO ACTION TO TAKE FROM EXECUTIVE SESSION

XIII. **CONSIDERATION AND POSSIBLE ACTION RELATING TO ABSENCES-** IN ACCORDANCE WITH SECTION 3.10 (d) OF THE CITY OF FULSHEAR HOME-RULE CHARTER, PAST ABSENCES DUE TO SICKNESS MAY BE EXCUSED, AND LEAVES OF ABSENCE FOR FUTURE ABSENCES MAY BE GRANTED. ANY ACTION TO EXCUSE A PAST ABSENCE IS DEEMED TO INCLUDE A FINDING THAT THE ABSENCE WAS DUE TO SICKNESS UNLESS THE ACTION INDICATES OTHERWISE.

NONE TO APPROVE

XIV. ADJOURNMENT

A MOTION TO ADJOURN WAS MADE BY COUNCIL MEMBER PATTERSON. IT WAS SECONDED BY COUNCIL MEMBER KELLY. 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 8:45 P.M.

ATTEST:


KIMBERLY KOPECKY, CITY SECRETARY




AARON GROFF, MAYOR