

**MINUTES OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, APRIL 3, 2017

6:00 P.M.

1.0 Call to Order

The Council meeting was called to order at 6:00 p.m. by Mayor Fagan. Other members present:

Councilman Hudgens
Councilman Stoll
Councilman Degges
Councilman Townsend
Councilman Klein Quinn

Others present:

Council-Elect Ford
City Manager – George Shackelford
Assistant City Manager – Robert Hauck
City Secretary – Doris Speer
City Attorney – Loren Smith
Police Chief – Billy Tidwell
Fire Chief – Randy Parr
Assistant Fire Chief – Jonathon Fontenot
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Public Works – David Esquivel
Director of Community Development – Craig Meyers
City Planner – Amelia Lindley
City Engineer – Beth Jones
Community Center Director – Rosalie Dillon
Assistant City Secretary – Tracy Garcia
Fire Marshal – Joe Sykora
Accountant – Christine Brookshire
Police Captain – Rick Grassi

2.0 The invocation was led by Pastor Billy Hines, Affinity Life Giving Church, Tomball. Robert Hauck presented a tribute to Chief Deputy, Precinct 3, Clint Greenwood.

- 3.0 The pledges to the U. S. and Texas Flags were led by Randy Parr.
- 4.0 The following public comment was received:
- Rodney Hutson - Spoke in favor of Item 9.6, regarding the
9431 Rosie Lane, 77354 reinstatement of the waiver of impact fees on
FM 2920, from Business SH 249 to Willow Street.
- 5.0 The following presentations were made by Mayor Fagan and Fire Chief Randy Parr.
- Tomball Fire Department – Pinning Ceremony
 - Captain Josh Brookshire
 - Fire Marshal Joe Sykora
 - Asst. Fire Marshal Scott Mullins
 - Deputy Fire Marshal Jason Herrman
 - Lieutenant David Hill
 - D/O Curtis Garmon
 - D/O Mariah Jaquez
- 6.0 Reports and Announcements:
- April 8, 2017 – **8th Annual 5K Bunny Run and 1 Mile Kids Walk**
 - April 8, 2017 – **Ride 2 Recovery Reception** – 11:00 a.m.-12:00 Noon at the Depot
 - April 8, 2017 – **2nd Saturday at the Depot**
 - April 17-22, 2017 – Annual **Spring Clean-Up and Chipping Week**
 - April 17, 2017 – Public Hearing – Mustang Cat Annexation
 - April 22, 2017 – **Tomball Consolidated Recycling Day** at Lone Star College-Tomball Campus, 30555 Tomball Parkway, South Entrance – 10:00 a.m.-2:00 p.m.
 - April 22, 2017 – **Tomball Rotary Club Annual Fish Fry** at the Depot, 4:00 p.m.-8:00 p.m.
 - April 24, 2017 – Public Hearing – Mustang Cat Annexation
 - April 29, 2017 – **Tomball Lions Club Car Show** at Lone Star College, 10:00 a.m.-2:00 p.m.
 - May 6-7, 2017 – **Rails & Tails Mudbug Festival**
 - May 27, 2017 – **Tomball Honky Tonk Music Festival and Chili Challenge**
 - Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Councilman Townsend requested that cleanup following events include all parking lots used during events.
- 7.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the March 20, 2017 Regular Tomball City Council Meeting.

Motion carried unanimously.

8.0 Old Business:

- 8.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2017-05, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Banson Ventures I, LLC to Operate a “Mini-Warehouse/Self Storage” at 1210 East Hufsmith Road; Said Property being Approximately 2.43 Acres, and Being Legally Described as Tract 3A R/S 10 Abstract 730 J S Smith, Tomball, Harris County, Texas, Generally Located on the South Side of East Hufsmith Road, between Zion Road and Snook Lane; Providing Requirements and Conditions for this CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

- 8.2 Motion was made by Councilman Stoll, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2017-06, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 2 Acres of Land, Legally Described as Part of Outlots 127 and 129 Five Acre Tracts Tomball Outlots, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Office District; Said Property Being Generally Located on the East Side of South Pine Street between James Street and Cherry Laurel Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

9.0 New Business:

- 9.1 Presentation of the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending September 30, 2016 was given by Glenn Windsor and Sarah Roberts and Laura Lambert, representing Weaver and Tidwell, LLP.

No action taken.

- 9.2 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Resolution No. 2017-03R, a Resolution Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Certain Territory; Describing Such Territory; Setting the Dates, Times, and Places for Two Public Hearings at Which All Interested Parties Shall Have an Opportunity to be Heard; Providing for Publication of Notices of Such Public Hearings; and Directing Preparation of a Municipal Service Plan for the Territory Proposed to be Annexed (12.1624 Acres, Being Tract 3A, Abstract 70, E. Smith Survey, Located at 11311 Holderrieth Road, Harris County, Tomball, Texas).

Motion carried unanimously.

- 9.3 Motion was made by Councilman Hudgens, second by Councilman Stoll, to read Ordinance No. 2017-08 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2017-08, an Ordinance of the City of Tomball, Texas, Extending the City Limits of Said City to Include All of the Territory within Certain Limits and Boundaries and Annexing to the City of Tomball All of the Territory within Such Limits and Boundaries; Approving a Service Plan for All of the Area within Such Limits and Boundaries; Containing Other Provisions Relating to the Subject; and Providing a Savings and Severability Clause [Tract 1: 65.6190 Acres of Land in the William Perkins Survey, Abstract No. 621, the T. A. Duclos Survey, Abstract No. 1473, and in the C. W. Hall Survey, Abstract No. 1639, Harris County, Tomball, Texas; Located within the Extraterritorial Jurisdiction of the City of Tomball, Harris County, Texas] (Grand Parkway). Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>

Councilman Klein Quinn Aye

Motion carried unanimously.

- 9.4 Motion was made by Councilman Townsend, second by Councilman Degges, to approve Renewal of the Memorandum of Understanding (MOU) between the City and Lone Star College-Tomball for the Use of a Portion of LSC-T Parking Lot for an Emergency Supply Distribution Center during Emergency Disaster Incidents.

Motion carried unanimously.

- 9.5 Presentation was made by Craig Meyers for discussion and possible action regarding Patio Homes and Zero Lot Line Development Regulations in Tomball.

No action was taken.

- 9.6 Presentation was made by Craig Meyers for discussion and possible action regarding Reinstating the Waiver of Water and Wastewater Impact Fees in the Old Town Area and for Properties along FM 2920 from Business 249 to Willow Street.

Additional information was requested by Council regarding the effect on the City's budget during the now-expired waiver period.

No action was taken.

- 9.7 Motion was made by Councilman Stoll, second by Councilman Quinn, to approve Lease Agreement with Frank and Russell DeNina, dba South Sycamore Int., LLC (Daily Workers Site), for 3.547-Acre Tract, Described as TR R10, Abstract 371 W. Hurd Survey, 0 Mechanic Road, between the City of Tomball and South Sycamore Int. LLC. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Nay</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried, 4 votes Aye, 1 vote Nay.

- 9.8 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve an Agreement with the Developer for the Construction of Public Improvements in the Amount of \$28,636.61 for the Upsizing of Water and Sanitary Sewer Main Extensions to Serve the Premium Interests Development.

Motion carried unanimously.

- 10.0 Motion was made by Councilman Townsend, second by Councilman Stoll, for adjournment.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 17th day of April 2017.

Doris Speer
Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor