

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



MONDAY, SEPTEMBER 19, 2016

6:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, September 19, 2016 at 6:00 p.m., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

2.0 Invocation

- Led by Pastor Gary Aaron, Victory Baptist Church

3.0 Pledges to U. S. and Texas Flags

- Led by Members of the Tomball Memorial High School Student Council and the Falcon Patrol, Arrow of Light Webelos, Pack 469

4.0 Public Comments and Receipt of Petitions: *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*

5.0 Presentations:

- Proclamation – ***“New Kentucky Chapter Daughters of the Republic of Texas - 30th Anniversary”***

6.0 Reports and Announcements:

- September 24, 2016 – **6th Annual Beetles, Brew & Barbeque Festival** –Noon-6:00 p.m.
- October 1, 2016 – **4th Annual “Paces4Pink” 5K Run/Walk and 1 Mile Run/Walk**

- October 8, 2016 – **“Zomball in Tomball”**
- October 15, 2016 – **“Freight Train Food Truck Festival” at the Depot** – Noon to 5:30 p.m. (Combining the *Honky Tonk Music Festival* and *Memorial Day Chili Challenge*)
- October 22, 2016 – **5th Annual Tomball Bluegrass Festival** – 12:00 Noon-6:00 p.m.
- Reports by City staff and members of Council about items of community interest on which no action will be taken:
 - George Shackelford – Southeast Texas Housing Finance Corporation (SETH) has made funding in the amount of \$50,000 available to the City of Tomball for Affordable Housing Initiatives and Related Services

7.0 Approve the Minutes of the September 6, 2016 Regular Council Meeting

8.0 Old Business:

- 8.1 Adopt, on Second Reading, Resolution No. 2016-19-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation’s Project to Expend Funds in accordance with an Economic Development Agreement by and between the Corporation and Source Point Solutions, LLC, to make direct incentives to, or expenditures for, the relocation of its corporate headquarters facility to an approximately 2.95-acre tract located at 24227 FM 2978, Tomball, Texas 77375. The estimated amount of expenditures for such Project is \$28,514.00.
- 8.2 Adopt, on Second Reading, Ordinance No. 2016-20, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Code of Ordinances by Amending Section 50-82(B) (“Use Charts”) in regards to the Land Uses “Check Cashing Service”, “Convenience Store (With or Without Gasoline Sales)”, “Gasoline Station”, “Hotel/Motel”, “Rehabilitation Care Facility (Halfway House)”, “Tattoo or Body Piercing Studio” and by Adding “Loan Service (Payday/Auto Title)” and Amending Section 50-2 (“Definitions”) in regards to the Land Use “Hotel/Motel”; 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

9.0 New Business:

- 9.1 Conduct First Public Hearing regarding 2016 Tax Year Proposed Property Tax Rate for the City of Tomball, Texas
- 9.2 Announce that Voting on the Proposed 2016 Tax Rate will be held at a Regular Council Meeting on October 3, 2016 at 6:00 p.m. and at a Special Council Meeting on October 10, 2016 at 5:00 p.m.

- 9.3 Appoint/Reappoint Members to Positions 1, 3 and 5 on the Tomball Regional Health Foundation for Terms Expiring September 1, 2016
- 9.4 Cast Ballot for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees (TML-IRP)
- 9.5 Approve Request by Tomball Sister City Organization for In-Kind and Financial Support, in the Amount of \$57,750, Road Closures, and Waiver of Fees for the 9th Annual Tomball German Christmas Market, to be held December 8-11, 2016, and for In-Kind and Financial Support, in the Amount of \$57,750, Road Closures, and Waiver of Fees for the 17th Annual Tomball German Heritage Festival, to be held March 30-April 2, 2017
- 9.6 Approve Request by Spring Creek County Historical Association for Funding in the Amount of \$30,000 for SCCHA's 2016-2017 Fiscal Budget, Annual Operations
- 9.7 Approve Professional Services Agreement with RG Miller Engineers, in the Amount of \$80,000, for Implementation of Permit Year 4 of the City of Tomball's Storm Water Management Program
- 9.8 Authorize the City Manager to Execute Necessary IRS Documents in Regards to the Dedication of Right-of-Way to the City of Tomball along Medical Complex Drive
- 9.9 Award Proposal for Implementation of Landfill Gas Remediation Plan to Raba Kistner Environmental, in the amount of \$66,850.00
- 9.10 Consideration to approve ZONING CASE P16-0123: Request by Justin Cottle for a Conditional Use Permit to operate an amusement, commercial (indoor) facility at 701 E. Main Street. The property is approximately 1 acre, located on the north side of Main Street, east of Willow Street, legally described as Lots 1 and 2, Block 1 McCraw Acres and is zoned General Retail.
 - Conduct Public Hearing on ZONING CASE P16-0123
 - Adopt, on First Reading, Ordinance No. 2016-24, 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 Justin Cottle on Behalf of Arclight Gaming, LLC., to Operate an "Amusement, Commercial (Indoor)"; Said Property being Approximately 1 Acre, and Being Legally Described as Lots 1 & 2, Block 1 McCraw Acres, Tomball, Harris County, Texas, Generally Located on the North Side of Main Street, East of Willow Street, at 701 E. Main Street; 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

9.11 Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.071 - Consultation with the City Attorney regarding a matter that the Attorney's duty requires to be discussed in closed session.

10.0 Adjournment

C E R T I F I C A T I O N

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 15th day of September 2016 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer

Doris Speer

City Secretary, TRMC, MMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY BE VIEWED ONLINE AT www.ci.tomball.tx.us.