

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



MONDAY, AUGUST 15, 2016

6:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, August 15, 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 Greg Sipe, Pastor, Church 1:37

3.0 Pledges to U. S. and Texas Flags

- Led by Cub Scouts, Webelos 2

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:

- Presentation of New Tomball Police Officers

6.0 Reports and Announcements:

- ***Tomball City Pool – 2016 Swim Season - Jerry Matheson Park Pool*** will operate normal hours through August 21. From August 22 through September 4, the pool will be open on Saturday and Sunday only. The pool will be closed every Monday during swim season 2016, except Memorial Day (May 31), July 4th, and

Labor Day (September 5). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.

- August 27, 2016 – **Texas Music Festival** – Noon-6:00 p.m.
- September 10, 2016 – **2nd Saturday at the Depot**
- 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:
 - Glenn Windsor – Quarterly Investment Report for period ending June 30, 2016. The Public Funds Investment Act requires that a report of the City's investments be presented to Council on a quarterly basis. The investment report includes a listing of all investments together with information relating to diversification, cost vs. market values, yield information, and weighted average maturities. On June 30, 2016, the City had total cash equivalents and investments totaling \$50,113,306. A copy of the report is attached for review.

7.0 Approve the Minutes of the August 1, 2016 Regular Council Meeting

8.0 Old Business:

8.1 Adopt, on Second Reading, Ordinance No. 2016-13, 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 .32 Acres of Land, Legally Described as Lots 14, 15, 16 & 17 Block 70 Tomball, within the City of Tomball, Harris County, Texas, from the Single Family 6 District to the Old Town and Mixed Use District; Said Property being generally located at the Northwest Corner of Mechanic Street and S. Chestnut 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

8.2 Adopt, on Second Reading, Ordinance, No. 2016-18, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2016-2017; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2015-2016 Fiscal Year in

Accordance with Actual Expenditures; and Providing Other Details relating to the
Passage of This Ordinance

9.0 New Business:

- 9.1 Conduct Public Hearing of the City Council of the City of Tomball to Consider Proposed Assessments Against Yaupon Trails Section One Properties in the City of Tomball Public Improvement District Number Five (PID 5) Established by City Council Resolution No. 2015-05
- 9.2 Adopt, on First Reading, Ordinance No. 2016-16, an Ordinance of the City Council of Tomball, Texas, Approving the Service and Assessment Plan for the City of Tomball Public Improvement District Number Five, Yaupon Trails, Section One
- 9.3 Adopt, on First Reading, Ordinance No. 2016-17, an Ordinance of the City Council of Tomball, Texas, Levying an Assessment against Section One Properties within the City of Tomball Public Improvement District Number Five (Yaupon Trails Subdivision); and Making Certain Findings Related Thereto
- 9.4 Reappoint Lori Klein Quinn to Current Position on the Tomball Economic Development Corporation Board of Directors
- 9.5 Reappoint Presiding Municipal Court Judge, Brett Peabody
- 9.6 Appoint Will Benson, Jr. as Alternate Member to the Board of Adjustments
- 9.7 Consideration to approve **ZONING CASE P16-0115**: Request by the City of Tomball to amend 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 to amend Section 50-2 (Definitions) in regards to the land use “Hotel/motel”.
 - Conduct Public Hearing on **ZONING CASE P16-0115**
 - Adopt, on First 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

- 9.8 Consideration and Possible Action regarding Request from Mike Clark, of Maple Creek Bed & Breakfast, to Waive the Installation of an Automatic Fire Sprinkler System, as Required per the 2012 International Building Code (IBC) and 2012 International Fire Code (IFC)
 - 9.9 Approve and Grant Permission for the Fire Chief to Address the TML Legislative Committee Regarding Returning to Texas Cities', Including the City of Tomball, the Decision Process Regarding the Authority to Require Residential Fire Sprinklers in Newly Constructed Single Family and Duplex Homes
 - 9.10 Adopt, on First Reading, Ordinance No. 2016-19, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas, by Amending Chapter 34, Section 34-71. Amendments to the 2012 International Fire Code, (w), to Change the Definition of "Fire Area"; Providing a Penalty in an Amount Not to Exceed \$2000 for Each Day of Violation Hereof; and Providing for Severability
 - 9.11 Approve Two-Year Extension of Contract with Sun Coast Resources for the Purchase of Gasoline and Diesel Fuel
 - 9.12 Reject All Bids for E&P Project No. 2016-10005 Hunterwood and Hicks Lift Station Rehabilitation Project
- 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 11th day of August 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.