

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



MONDAY, AUGUST 1, 2016

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 Townsend
Councilman Degges

Members absent:

Councilman Stoll - Excused
Councilman Klein Quinn - Excused

Others present:

City Manager – George Shackelford
City Secretary – Doris Speer
City Attorney – Loren Smith
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Public Works Director – David Esquivel
Director of Community Development – Craig Meyers
City Planner – Harold Ellis
Community Events Coordinator – Denise Fiore
Community Center Manager – Rosalie Dillon
CSO Administrative Assistant – Tracy Garcia
Police Officer – Shon Davis

2.0 Invocation

- Led by Gary Aaron, Pastor, Victory Baptist Church

3.0 Pledges to U. S. and Texas Flags

- Led by David Allen, Tomball Kids Club participant

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 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 5, 2016 – **Tomball Night**
- August 13, 2016 – **2nd Saturday at the Depot**
- 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 – **3rd “Annual Paces for Pink” 5K Run**
- 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:
 - o Denise Fiore reported on the success of **Tomball Kids Club** and the July 2016 **2nd Saturday at the Depot**; certificates of appreciation were awarded to the many volunteers who helped make Tomball Kids Club a success.
 - o Mike Baxter reported on the Tomball Marketing Department’s success at the **Texas Festivals & Events Association** in Corpus Christi.

6.0 Motion was made by Councilman Townsend, second by Councilman Hudgens, to approve the Minutes of the July 18, 2016 Special and Regular City Council Meetings and the July 26, 2016 Special Council Meeting.

Motion carried unanimously.

7.0 Old Business:

- 7.1 Motion was made by Councilman Townsend, second by Councilman Hudgens, to adopt, on Second Reading, Ordinance No. 2016-09, 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 One: 4.847 Acres of Land, Being a Portion of FM 2920 Right-of-Way and a Portion of Telge Road Right-of-Way, Tomball, Texas; and Tract Two: 14.427 Acres of Land Located at 15945 FM 2920, 21706 Telge Road, and 21718 Telge Road, Tomball, Texas). Vote was as follows:

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

Motion carried unanimously.

- 7.2 Motion was made by Councilman Hudgens, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2016-14, an Ordinance Of The City Of Tomball, Texas, Amending Its Comprehensive Plan By Designating The Future Land Use Classification Of Approximately 14.427 Acres Of Land, Legally Described As A 14.427 Acre Tract Of Land Located In The Chancey Goodrich Survey, Abstract Number 311, Within The City Of Tomball, Harris County, Texas, As Commercial; Said Property Being Generally Located At The Southeast Corner Of FM 2920 And Telge Road; Providing For The Amendment Of The Comprehensive Plan 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>Absent</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Absent</u>

Motion carried unanimously.

- 7.3 Motion was made by Councilman Hudgens, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2016-15, 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 14.427 Acres Of Land, Legally Described As 14.427 Acre Tract Of Land Located In The Chancey Goodrich Survey, Abstract Number 311, Within The City Of Tomball, Harris County, Texas, From The Agricultural District To The Commercial District; Said Property Being Generally Located At The Southeast Corner Of FM 2920 And Telge Road; 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>Absent</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Absent</u>

Motion carried unanimously.

- 7.4 Consideration to 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, was **tabled and rescheduled** for consideration at the August 15, 2016 Council meeting at the request of the property owner.

No action taken.

8.0 New Business:

- 8.1 Conduct Second Public Hearing regarding the Fiscal Year 2016-2017 Budget

- Mayor Fagan opened the Public Hearing regarding the Fiscal Year 2016-2017 Budget to order at 6:17 p.m.

- o Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:18 p.m.

- 8.2 Motion was made by Councilman Townsend, second by Councilman Hudgens, to read Ordinance No. 2016-18 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Hudgens, second by Councilman Townsend, to adopt, on First 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. Vote was as follows:

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

Motion carried unanimously.

- 9.0 Motion was made by Councilman Townsend, second by Councilman Hudgens, to adjourn.

Motion carried unanimously.

Meeting adjourned at 6:19 p.m.

PASSED AND APPROVED this the 1st day of August 2016.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor