

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



MONDAY, MAY 16, 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 Townsend
Councilman Klein Quinn
Councilman Hudgens
Councilman Degges
Councilman Stoll

Others present:

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
Marketing Director – Mike Baxter
Community Events Coordinator – Denise Fiore
Finance Director – Glenn Windsor
Public Works Director – David Esquivel
Community Development Director – Craig Meyers
City Planner - Harold Ellis
Community Center Director – Rosalie Dillon
Community Events Coordinator – Denise Fiore
Chief-NWEMS – Brian Bayani
CSO Administrative Assistant – Tracy Garcia
Police Detective – Kenneth Yoho
Police Sergeant – Shon Davis

2.0 The invocation was led by Rick Brown, Sr. Pastor, ChristBridge Fellowship Church

3.0 The pledges to U. S. and Texas Flags were led by Navy Junior ROTC and Lt. Commander Greg Boucher

4.0 Canvass of Election
Escrutinio de la Elección
Kiểm Phiếu của Cuộc Bầu Cử
拉票選舉

- 4.1 Resolution No. 2016-05, Canceling the Regular City Officer's Election Scheduled to be held on the 7th Day of May, 2016, in Accordance with Section 2.053(a) of the Texas Election Code; Directing the Giving of Notice of Such Cancellation of Election; and Providing Details Relating to the Cancellation of Such Election as approved by City Council on March 7, 2016, at the Regular Council Meeting. The following actions complete the canvass of the May 7, 2016 Election.

Resolución Nro. 2016-05, cancelando la Elección Regular de Funcionarios de la Ciudad programada para el 7 de mayo de 2016, de acuerdo con la Sección 2.053(a) del Código Electoral de Texas; instruyendo que se de aviso de tal cancelación de elección; y disponiendo los detalles relativos a la cancelación de tal elección como fue aprobada por el Consejo Municipal el 7 de marzo de 2016 en la asamblea ordinaria del Consejo. Las medidas indicadas a continuación completan el escrutinio de la Elección del 7 de mayo de 2016.

Nghị quyết số 2016-05, Hủy Bỏ Cuộc Bầu Cử Viên Chức Thành Phố Thường Lệ Dự Kiến sẽ được tổ chức vào ngày 7 tháng Năm, 2016 chiếu theo Mục 2.053(a) của Bộ Luật Tuyển Cử Tiểu Bang Texas; Chỉ thị việc Ban Hành Thông Báo Hủy Bỏ Cuộc Bầu Cử; và Cung Cấp Thông Tin Chi Tiết liên quan đến Hủy Bỏ Cuộc Bầu Cử theo phê chuẩn của Hội Đồng Thành Phố vào ngày 7 tháng Ba, 2016 tại Cuộc Họp Hội Đồng Thường Lệ. Các hành động sau đây hoàn tất việc kiểm phiếu ngày 7 tháng Năm, 2016.

決議案2016-05號，取消一般市府官員應於2016年5月7日的選舉計畫，其是根據德克薩斯州選舉法2.053(a)節；茲此通知該選舉取消；以及提供關於由市政委員會於2016年3月7日，在一般是政會議通過取消該選舉的詳情。下列行動完成2016年5月7日選舉遊說

No action necessary; Resolution No. 2016-05 was adopted on March 7, 2016.

Ninguna acción necesaria; la Resolución el No 2016-05 fue adoptada el 7 de marzo de 2016

Không có hành động cần thiết; Nghị quyết số 2016-05 đã được thông qua ngày 7 tháng 3 năm 2016.

不採取行動的必要；2016年3月7日通過了2016年-05號決議。

- 4.2 Administer Oath of Office to Elected Officials – Commissioner R. Jack Cagle, Precinct 4, Harris County

Administrar el juramento al cargo de los funcionarios electos – Comisionado R. Jack Cagle, Precinto 4, Condado de Harris

Làm lễ Tuyên Thệ Nhậm Chức cho các Viên Chức Được Bầu Chọn – Ủy Viên R. Jack Cagle, Phân Khu 4, Quận Harris

管理選舉官員宣誓就職 – 委員R. Jack Cagle，選區4，Harris郡

4.3 Consideration to Elect Mayor Pro-Tem, in Accordance with Section 6.08 of the City of Tomball Home Rule Charter.

Considerar elegir un Alcalde Interino en conformidad con la Sección 6.08 de la Carta Orgánica de Gobierno Local de la Ciudad de Tomball.

Xem Xét Bầu Chọn Thị Trưởng đương nhiệm chiếu theo Mục 6.08 của Điều Lệ Hiến Chương về Nhà Ở.

考慮根據 Tomball市政府當地規章第6.08條選舉臨時市長

Motion was made by Councilman Stoll, second by Councilman Townsend, to Elect Councilman Degges as Mayor Pro-Tem, in Accordance with Section 6.08 of the City of Tomball Home Rule Charter.

El Concejal Stoll hizo la moción, secundada por el Concejal Townsend, a elegir el Concejal Degges como Alcalde Pro-Tem, de conformidad con la sección 6,08 de la ciudad de Tomball Carta autonómica.

Chuyển động đã được thực hiện bởi Ủy viên Hội đồng Stoll, thứ hai bởi Nghị Townsend, đề cử Ủy viên Hội đồng Degges như Thị trưởng Pro-Tem, phù hợp với mục 6.08 của thành phố Tomball Trang chủ Quy tắc Điều lệ.

參議會 Stoll，其次由參議會 Townsend 向運動選出議員克萊因奎因 Degges 作為市長 Pro-Tem 按照節 6.08 的該市的托姆伯爾家規則的憲章。

Motion carried unanimously.

Moción aceptada por unanimidad.

Kiến nghị được nhất trí thông qua.

動議無異議地通過。

Councilman Degges was elected Mayor Pro-Tem.

El Concejal Degges fue elegido Alcalde interino.

Nghị Viên Degges được chọn làm Thị Trưởng Tạm Thời.

委員 Degges 已當選為暫時市長。

5.0 No public comments were received.

6.0 Presentations: The Mayor presented the following proclamations:

- Certificate of Appreciation – P. Garland Davis, III, for his **Eagle Scout Project – U. S. Flag Drop Box**
- Proclamation – May 15-21, 2016 is “**National Public Works Week – Tomball, Texas**”
- Proclamation – May 15-21, 2016 is “**National Emergency Medical Services Week – “EMS STRONG” – Tomball, Texas**”
- Proclamation – May 15-21, 2016 is “**Tomball Firefighter Appreciation Week**”
- Proclamation – May 22-28, 2016 is “**National Hurricane Preparedness Week – Tomball, Texas**”

7.0 Reports and Announcements:

- May 15-21, 2016 – **“Tomball Police Week”** and May 17, 2016 – **“Peace Officers Memorial Day”**
- May 25, 2016 – **“Tomball Special Olympics Day – 2016”** at the Depot
- May 28, 2016 – Tomball **Chili Challenge 2016** at the Depot
- **Tomball City Pool – 2016 Swim Season - Jerry Matheson Park Pool** will open May 28 through May 30 for Memorial Day weekend, then close May 31 through June 3. The Pool will reopen on June 4 and will operate will 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.
- June 4, 2016 – **Tomball Honky Tonk Music Festival** at the Depot
- June 11, 2016 – **2nd Saturday at the Depot**
- **TOMBALL KID'S CLUB – June 14, 17, 21, 24, 28 and July 1, 8, 12, 15, 19, and 22, 2016** - 11:00 a.m.-1:00 p.m., at the Community Center
- June 23, 2016 – **8th Annual Economic Outlook Luncheon**, sponsored by the **Tomball Economic Development Corporation** at Lone Star College-Tomball – 11:30 a.m.-1:30 p.m.
- July 4, 2016 – **July Fourth Celebration & Street Festival** – Business 249 at FM 2920
- July 9, 2016 – **2nd Saturday at the Depot**
- Reports by City staff and members of Council about items of community interest on which no action will be taken

8.0 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve the Minutes of the May 2, 2016 Regular Council Meeting and the May 5, 2016 Special City Council Meeting.

Motion carried unanimously.

9.0 New Business:

- 9.1 Motion was made by Councilman Townsend, second by Councilman Hudgens, to approve Resolution No. 2016-10, 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 (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), designating June 6, 2016 and June 20, 2016 as the dates for the public hearings.

Motion carried unanimously.

- 9.2 Motion was made by Councilman Hudgens, second by Councilman Townsend, to approve Resolution No. 2016-11, 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 (**14.427** Acres of Land Located at 15945 FM 2920, 21706 Telge Road, and 21718 Telge Road, Tomball, Texas), designating June 6, 2016 and June 20, 2016 as the dates for the public hearings.

Motion carried unanimously.

- 9.3 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve Request from Woodlands Church Tomball Campus to Reserve the Railroad Depot Plaza on Saturday, June 18, 2016, from 9:00 a.m. to 12:00 p.m., for "**Launch**", a Free Event for all Tomball families.

Motion carried unanimously.

- 9.4 Motion was made by Councilman Townsend, second by Councilman Hudgens, to approve Proposed Amendment to Current Tomball Municipal Court Contract for Court Fees and Fines Collection Services.

Motion carried unanimously.

- 9.5 Motion was made by Councilman Townsend, second by Councilman Hudgens, to award Contract for City of Tomball Project Bid Number 2016-12, Zion Road Sidewalk Project to Site Work Contractors, LLC in the Amount of \$295,917.75. Vote was as follows:

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

Motion carried unanimously.

- 9.6 Consideration to Approve **Zoning Case P16-0048**: Request by Brannon King, on behalf of DPIS Engineering, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 9.6 acres of land, legally described as Tract 24, Abstract 50 J Miller Survey, within the City of Tomball, Harris County, Texas, generally located at the northeast corner of Hufsmith Road and Zion Road at 1600 E. Hufsmith Road, from the Agricultural District to the Commercial District.

- Mayor Fagan opened the Public Hearing on **ZONING CASE P15-0048** at 6:42 p.m.

- Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:42 p.m.
- Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2016-06 by caption only on first reading.

Motion was made by Councilman Degges, second by Councilman Townsend, to adopt, on First Reading, Ordinance No. 2016-06, 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 9.6 Acres of Land, Legally Described as Tract 24, Abstract 50 J Miller Survey, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; said Property being Generally Located at the Northeast Corner of Hufsmith Road and Zion Road at 1600 E. Hufsmith 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.”.

Motion to AMEND was made by Councilman Degges, second by Councilman Townsend, to adopt, on First Reading, Ordinance No. 2016-06, 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 9.6 Acres of Land, Legally Described as Tract 24, Abstract 50 J Miller Survey, within the City of Tomball, Harris County, Texas, from the Agricultural District to the **OFFICE** District; said Property being Generally Located at the Northeast Corner of Hufsmith Road and Zion Road at 1600 E. Hufsmith 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>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion, as AMENDED, carried unanimously.

- 9.7 Consideration to Approve **Zoning Case P16-0054**: Request by Christopher Wohrer, on behalf of Moffett Productions Inc., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land, legally described as Tract 14G Abstract 632 C N Pillot, within the City of Tomball, Harris County, Texas, generally located on the south side of Holderrieth Road west of the Tomball Business and Technology Park at 11835 Holderrieth Road, from the Agricultural District to the Commercial District.

- Mayor Fagan opened the Public Hearing on **ZONING CASE P15-0054** at 6:55 p.m.
- Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:55 p.m.
- Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to read Ordinance No. 2016-07 by caption only on first reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to adopt, on First Reading, Ordinance No. 2016-07, 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 Tract 14G Abstract 632 C N Pillot, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; said Property being Generally Located on the South Side of Holderrieth Road West of the Tomball Business and Technology Park at 11835 Holderrieth 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>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

- 9.8 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to adopt 2016-2021 City of Tomball Strategic Plan.

Motion carried unanimously.

- 10.0 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to adjourn.

Motion carried unanimously. Meeting adjourned.

PASSED AND APPROVED this the 20th day of June 2016.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor