

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



MONDAY, DECEMBER 7, 2015

6:00 P.M.

1.0 Call to Order

The Council meeting was called to order at 6:03 p.m. by Mayor Fagan. Other members present:

Councilman Hudgens
Councilman Klein Quinn
Councilman Townsend
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
Finance Director – Glenn Windsor
Public Works Director – David Esquivel
Director of Community Development – Craig Meyers
City Engineer – Lori Lakatos
City Planner – Harold Ellis
Executive Director-TEDC – Kelly Violette
Chief-NWEMS – Brian Bayani
CSO Administrative Assistant – Tracy Garcia

2.0 The invocation was led by Bruce Hillegeist, President, Greater Tomball Area Chamber of Commerce.

3.0 The pledges to U. S. and Texas Flags were led by Dylan Morgan, Member of the Tomball High School Student Council.

4.0 The following public comments were received:

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| Bill Sumner
12321 Zion Road, 77375 | - | Expressed his dissatisfaction with increased traffic and speeding on Zion; requested this issue be addressed. |
| Jim Ross
30722 Country Meadows Dr.
77375 | - | Introduced himself to Council; expressed his interest in being appointed to the Tomball Regional Health Foundation. |
| Bruce Hillegeist
29201 Quinn Road, 77375 | - | Thanked City for support in the success of the 50th Annual Holiday Parade and introduced Hannah Carroll, 2016 Miss Tomball. |
| Marvin Rathke
13419 Lost Creek Road
77375 | - | Expressed his opposition to Item 8.7, Bethel Estates Plat and concerns regarding drainage. |

5.0 Reports and Announcements:

Mayor Fagan presented the Blue Star Flag to Jimmy Whitehead and Tami Seay, parents of Captain Cara Leigh Grausam, and welcomed Captain Grausam and her husband, Gene Grausam, to Tomball.

- December 11-13, 2015 – **2015 Tomball German Christmas Market**
- December 12, 2015 – ***Christmas on Commerce*** – a 2nd **Saturday at the Depot** Event, from 10:00 a.m.-5:00 p.m.
- December 24-25, 2015 – Christmas Holiday – City Offices closed
- January 1, 2016 – New Year’s Day Holiday – City Offices closed
- January 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:
 - o Billy Tidwell presented a report on the success of the ***“True to the Blue – Our Cops are Tops” at the Depot.***
 - o Mike Baxter presented a report on the success of the 3rd Annual ***Lamp Post Decorating Contest and “Lamp Post Stroll”***

6.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the November 16, 2015 Regular City Council Meeting.

Motion carried unanimously.

7.0 Old Business:

- 7.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2015-24, 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 Spring Creek County Historical Association to Operate a “Museum”; said Property being Approximately 2.4 Acres, and being Legally Described as Lots 1, 2, 9-16, Block 48, the Southwesterly 20 Feet of Lot 3, and All of Lots 4 – 6, Block 102, Revised Map of Tomball, Recorded under Volume 4 Page 25, of the Map Records of Harris County, Texas; and Lot 8A, a Subdivision as Shown on Map or Plat Recorded under Film Code Number 598155, of the Map Records of Harris County, Texas, generally Located at the Corner of Epps Street and N. Pine Street; Providing Requirements and Conditions for This CUP; 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.

8.0 New Business:

- 8.1 Motion was made by Councilman Stoll, second by Councilman Degges, to appoint Jim Ross to fill the vacancy on the Tomball Regional Health Foundation for the term expiring September 1, 2017.

Motion carried unanimously.

- 8.2 Motion was made by Councilman Hudgens, second by Councilman Stoll, to approve, as a Project of the Corporation, an agreement with Rock Materials to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the relocation and development of its operations to be located at 13315 Theis Ln., Tomball, Texas. The estimated amount of expenditures for such Project is \$111,000.00.

Motion carried unanimously.

- 8.3 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Bylaws of the Tomball B&TP Property Owners Association, Inc. related to the Tomball Business and Technology Park, a Project of the Tomball Economic Development Corporation.

Motion carried unanimously.

- 8.4 Motion was made by Councilman Townsend, second by Councilman Degges, to approve, as a Project of the Corporation, an agreement with White Horse

Technology LLC to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the relocation and development of its operations to be located at 1626 S. Cherry Street, Tomball, Texas. The estimated amount of expenditures for such Project is \$72,000.00.

Motion carried unanimously.

- 8.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the request from Mr. and Mrs. Bobby Talbott for Gas Service at 12704 Zion Road, located outside the City of Tomball, Without Annexation.

Motion carried unanimously.

- 8.6 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to authorize the Mayor to execute a contract with Harris County Emergency Services District # 15 for 15 year Term, Expiring December 31, 2030. Vote was as follows:

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

Motion carried, 4 votes Aye, 1 vote Nay.

- 8.7 Motion was made by Councilman Townsend, second by Councilman Hudgens, to approve BETHEL HEIGHTS: Being a Replat of Hunterwood Estates, a Subdivision of 26.7141 Acres of Land Situated in the Joseph House Survey, Abstract Number 34, of Harris County, Texas, and Abstract Number 20, of Montgomery County, Texas, Being a Replat of Hunterwood Estates, a Subdivision According to the Map or Plat Thereof Recorded in Film Code Number 603231, of the Map Records of Harris County, Texas, and Recorded in Cabinet Z, Sheet 580, of the Map Records of Montgomery County, Texas, Being the Same Land as Described in Deed Recorded Under Clerk's File Number 20130603237, of the Real Property Records of Harris County, Texas. 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>Nay</u>

Motion carried, 3 votes Aye, 2 votes Nay.

- 8.8 Motion was made by Councilman Hudgens, second by Councilman Stoll, to award Contract for Bid Number 2016-05 for Vactor Services & Regular Maintenance of Sewer System Components to Source Point Solutions.

Motion carried unanimously.

- 8.9 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the RFQ selection Process and authorize entering into negotiations with Freese and Nichols, Inc. for the Critical Needs Assessment and CNN Application.

Motion carried unanimously.

- 8.10 Council recessed at 7:58 p.m. to 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.
- Sec. 551.072 – Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property

Upon reconvening in regular session at 8:24 p.m., no action was taken.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 21st day of December 2015.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor