

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



**MONDAY, NOVEMBER 4, 2019
6:00 P.M.**

1.0 Meeting was called to order at by Mayor Pro Tem Townsend. Other members present:

Councilman Ford
Councilman Stoll
Councilman Degges
Councilman Klein Quinn

Members absent:

Mayor Fagan - Excused

Others present:

City Manager – Robert Hauck
Assistant City Manager – David Esquivel
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Director of Public Works – Beth Jones
Fire Chief – Randy Parr
Finance Director – Glenn Windsor
Director of Community Development – Craig Meyers
Fire Marshal – Joe Sykora
City Planner – Amelia Lindley
Assistant City Secretary – Tracy Garcia
Administrative Assistant-CSO – Sasha Luna
Community Events Coordinator – Denise Fiore
Community Center Manager – Rosalie Dillon
Building Official – Ken Cole
Police Lieutenant – Brandon Patin
Police Officer-Investigations – Cleo Thomas

2.0 The invocation was led by Pastor Kevin Bowles - Redeemer Church

3.0 Pledges to U. S. and Texas Flags were led by the Cub Scouts, Webelos, Pack 469.

4.0 No public comments were received.

5.0 Reports and Announcements:

- November 8, 2019 – **Bicycle Rodeo** – Heritage Plaza, 400 Market Street – 9:00 a.m.
- November 9, 2019 – **“Depot Day”** – 10:00 a.m.-5:00 p.m., **a National Model Railroad Month Celebration at the Depot - Tomball**
- November 22, 2019 – **Christmas Tree Lighting at the Depot** – 7:00 p.m.
- November 23, 2019 – **Tomball Holiday Parade**
- November 28-29, 2019 – **Thanksgiving Holiday** – City offices closed
- December 7, 2019 – **“Deck the Depot”** – a **2nd Saturday at the Depot** Event, 10:00 a.m.-3:00 p.m.
- December 13-15, 2019 – **Tomball German Christmas Market**
- December 24-25, 2019 – **Christmas Holidays** – City offices closed
- January 1, 2020 – **New Year’s Day Holiday** – City offices closed
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Denise Fiore reported on the successes of **“Zomball in Tomball”**, the **8th Annual Tomball Bluegrass Festival**, and the **4th Annual Freight Train Food Truck Festival at the Depot**.

6.0 Motion was made by Councilman Stoll, second by Councilman Ford, to approve the Minutes of the October 21, 2019 Regular Tomball City Council Meeting.

Motion carried unanimously.

7.0 Old Business:

7.1 Motion was made by Councilman Klein Quinn, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2019-27, 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 9.5 Acres of Land, Legally Described as Tract 1M Abstract 305C Goodrich, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Light Industrial District; Said Property being generally located on the South Side of North Humble Lake Road at SH 249; 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 Ford	<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 Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*

8.1 Approve Request by Concordia Lutheran High School for City Support of Their 2nd Annual ***Cruisin' Crusaders 5K Run/Walk*** at the Tomball Depot, to be Held on February 29, 2020, through In-Kind Services Provided by the City of Tomball

8.2 Approve Request by Tomball High School Athletic Booster Club for City Support of the Tomball High School Athletic Booster Club ***2nd Annual Scholarship Crawfish Boil***, Benefitting the Tomball High School Athletic Booster Club Scholarship Fund, to be Held on Saturday, April 4, 2020, from 4:00 p.m. to 8:00 p.m., through In-Kind Services Provided by the City of Tomball

8.3 Approve Resolution No. 2019-46, a Resolution of the City Council of the City of Tomball, Texas, Casting Its Ballot for the Election of a Person to the Board of Directors of the Harris County Appraisal District, and Cast the City's Ballot for Mike Sullivan

Motion was made by Councilman Ford, second by Councilman Stoll, to approve Items 8.1, 8.2 and 8.3 of the New Business Consent Agenda.

Motion carried unanimously.

9.0 New Business:

9.1 Ron Cox and Robert Hauck presented the City of Tomball 2020-2023 Strategic Management Plan. Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to approve and adopt the City of Tomball 2020-2023 Strategic Management Plan as presented.

Motion carried unanimously.

- 9.2 Motion was made by Councilman Degges, second by Councilman Stoll, to approve the Mutual Termination of Land Lease and Museum Development Agreement between the City of Tomball and Gulf Coast Chapter – National Railway Historical Society, Inc., and Authorize the City Manager to Execute the Agreement.

Motion carried unanimously.

- 9.3 Motion was made by Councilman Stoll, second by Councilman Ford, to approve the Joint Participation Interlocal Agreement with Harris County for the Design of the Site Drainage and Grade Plan of the Texas Railroading Heritage Museum.

Motion carried unanimously.

- 9.4 Mayor Pro Tem Townsend opened the Public Hearing at 6:40 p.m. for the Purpose of Considering the Following Annexation: *Being an 0.8684-Acre (37,827 Square Feet) Tract of Land Out of and Part of Tomball Outlot 477, According to the Map or Plat Thereof Recorded in Volume 2, Page 65 of the Harris County Map Records, in the Jesse Pruett Survey, Abstract No. 629, Harris County, Texas, said 0.8684-Acre Tract Being all of that certain 1.00-Acre Tract Described in Deed Recorded under Harris County Clerk's File No. 20100242691, Save and Except a 0.1423-Acre Tract Called Parcel 10 for the Widening of Hufsmith-Kohrville Road Right-of-Way (22526 Hufsmith-Kohrville).*

Receiving no public comments, Mayor Pro Tem Townsend closed the Public Hearing at 6:40 p.m.

- 9.5 Motion was made by Councilman Ford, second by Councilman Stoll, to read Ordinance No. 2019-28 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Ford, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2019-28, 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 (*Being an 0.8684-Acre (37,827 Square Feet) Tract of Land Out of and Part of Tomball Outlot 477, According to the Map or Plat Thereof Recorded in Volume 2, Page 65 of the Harris County Map Records, in the Jesse Pruett Survey, Abstract No. 629, Harris County, Texas, Said 0.8684-Acre Tract Being All of That Certain 1.00-Acre Tract Described in Deed Recorded under Harris County*

Clerk's File No. 20100242691, Save and Except a 0.1423-Acre Tract Called Parcel 10 for the Widening of Hufsmith-Kohrville Road Right-of-Way – 22526 Hufsmith-Kohrville) Vote was as follows:

Councilman Ford	<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.

- 9.6 Consideration to Approve **Zoning Case P19-124**: Request By Pedro Salazar To Amend Chapter 50 (Zoning) Of The Tomball Code Of Ordinances By Establishing The Zoning District Of Approximately One Acre Of Land As Commercial. The Property Is Legally Described As Tract 477E (6,197 SQ FT Easement) Tomball Outlots, And Is Located At The Northeast Corner Of Mahaffey Road And Hufsmith-Kohrville Road, Within Harris County, Texas.

- Conduct Public Hearing on **Zoning Case P19-124**

Mayor Pro Tem Townsend opened the Public Hearing at 6:44 p.m.

Receiving no public comments, Mayor Pro Tem Townsend closed the Public Hearing at 6:44 p.m.

- Motion was made by Councilman Stoll, second by Councilman Ford, to read Ordinance No. 2019-29 by caption only on First Reading.

Motion carried unanimously.

- Motion was made by Councilman Stoll, second by Councilman Ford, to adopt, on First Reading, Ordinance No. 2019-29, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Establishing the Zoning District of Approximately One Acre of Land, Legally Described as Tract 477E (6,197 Sq Ft Easement) Tomball Outlots, Within the City of Tomball, Harris County, Texas, to the Commercial District; Said Property Being Generally Located at the Northeast Corner of Mahaffey Road and Hufsmith-Kohrville 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 (22526 Hufsmith-Kohrville). Vote was as follows:

Councilman Ford	<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.

- 9.7 Motion was made by Councilman Stoll, second by Councilman Degges, to read Ordinance No. 2019-30 by caption only, on First and Final Reading.

Motion carried unanimously.

Motion was made by Councilman Klein Quinn, second by Councilman Stoll, to adopt, on First and Final Reading, Ordinance No. 2019-30, An Ordinance of the City Council of the City of Tomball, Texas, Authorizing the Issuance of City of Tomball, Texas, General Obligation Refunding Bonds, Series 2019; Levying a Tax in Payment Thereof; Authorizing the Issuance of the Bonds in Accordance with Specified Parameters; Authorizing the Redemption Prior to Maturity of Certain Outstanding Bonds; Approving the Preparation and Distribution of an Official Statement; and Enacting Other Provisions Relating Thereto; and Providing for the Effective Date. Vote was as follows:

Councilman Ford	<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 Mayor Pro Tem Townsend opened the Public Hearing of the City Council to Consider the Advisability of Adding Land to The Raburn Reserve Public Improvement District located within the City of Tomball at 6:52 p.m.

Receiving no public comments, Mayor Pro Tem Townsend closed the Public Hearing at 6:52 p.m.

- 9.9 Motion was made by Councilman Stoll, second by Councilman Ford, to approve Resolution No. 2019-45, an Amended and Restated Resolution of the City Council of the City of Tomball, Texas, Authorizing and Creating the Raburn Reserve Public Improvement District in the City of Tomball, Harris County, Texas, in Accordance

with Chapter 372 of the Texas Local Government Code; Providing for Related Matters; and Providing an Effective Date.

Motion carried unanimously.

- 9.10 Motion was made by Councilman Stoll, second by Councilman Degges, to read Ordinance No. 2019-31 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Degges, second by Councilman Ford, to adopt, on First Reading, Ordinance No. 2019-31 an Ordinance of the City of Tomball, Texas, Amending Chapter 10, Buildings and Building Regulations, of the Code of Ordinances by Amending Certain Sections of Chapter 10, “Buildings and Building Regulations,” to Adopt More Recent Editions of Construction Codes Published by The International Code Council and National Fire Protection Association; Adopting The Property Maintenance Code; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Violation of Any Provision Hereof; and Making Other Provisions Related to the Subject. Vote was as follows:

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

Motion carried, 4 votes Aye, 1 vote Nay.

- 9.11 Motion was made by Councilman Stoll, second by Councilman Ford, to read Ordinance No. 2019-32 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Stoll, second by Councilman Degges, to adopt, on First Reading, Ordinance No. 2019-32 an Ordinance of the City of Tomball, Texas, Amending Chapter 20, “Fire Prevention and Protection”, of the Code of Ordinances by Amending Sections 20-25, 20-26, 20-28, and 20-48 and Adopting the 2015 Edition of The International Fire Code as published by The International Code Council and The 2015 Edition of The Life Safety Code as published by The National Fire Protection Association; Providing for a Penalty Not to Exceed \$2,000 for Each Violation of Any Provision Hereof; and Making Other Provisions Related to the Subject. Vote was as follows:

Councilman Ford	<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.

- 9.12 Motion was made by Councilman Stoll, second by Councilman Degges, to accept the Dedication of a 0.0369-Acre Tract (1,608 Square Feet) of Land, Via Special Warranty Deed from Ernest Grandinetti, for the Construction of a Public Parking Lot at the Southeast Corner of Commerce Street and Cherry Street.

Motion carried unanimously.

- 9.13 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to approve the Purchase of one (1) Chevrolet Colorado Crew (4x4), one (1) Chevrolet Colorado Crew (2x4), two (2) Chevy Silverado 1500 Crew, one (1) Chevrolet 3500 Dual Rear Wheels, one (1) Chevrolet 2500 Double Cab, one (1) Chevrolet 3500 Crew Cab, and two (2) Police Interceptors through the State Buyboard Cooperative Purchasing Contract, in the amount of \$307,991.00.

Motion carried unanimously.

- 9.14 Motion was made by Councilman Stoll, second by Councilman Ford, to authorize the City Manager to Enter into an Interlocal Agreement with 1 Governmental Procurement Alliance (1GPA) for Purchasing Goods and Services.

Motion carried unanimously.

- 9.15 Motion was made by Councilman Stoll, second by Councilman Ford, to award Buy Board Contract Number 581-19 for Installation of Underground Electrical at Broussard Community Park, to B&C Constructors, in the Amount of \$175,126.38.

Motion carried unanimously.

- 9.16 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to award Buy Board Contract Number 581-19 for the construction of restroom and concession building at Broussard Community Park, to B&C Constructors, in the Amount of \$316,302.29.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned at 7:53 p.m.

PASSED AND APPROVED this the 18th day of November 2019.

Doris Speer
Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor