

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



**MONDAY, NOVEMBER 5, 2018
6:00 P.M.**

1.0 Meeting was called to order by Mayor Fagan. Other members present:

Councilman Ford
Councilman Stoll
Councilman Degges
Councilman Townsend
Councilman Klein Quinn

Others present:

City Manager – Robert Hauck
Assistant City Manager – David Esquivel
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Police Chief – Billy Tidwell
Fire Chief – Randy Parr
Finance Director – Glenn Windsor
HR Director – Lisa Coe
Director of Community Development – Craig Meyers
Planner – Amelia Lindley
Assistant City Secretary – Tracy Garcia
Events Coordinator – Denise Fiore
Community Center Manager – Rosalie Dillon
Senior Accountant – Christine Brookshire
Asst. Fire Chief – Jonathon Fontenot
Fire Marshal – Joe Sykora
Police Officer-Investigations – David White

2.0 The invocation was led by Pastor Bryan Donahoo, Graceview Baptist Church.

3.0 Pledges to the U. S. and Texas Flags were led by Randy Parr.

4.0 No public comments were received.

5.0 Presentations:

- Randy Parr presented the 2018 Achievement of Excellence – Silver Award to Joe Sykora, Jason Herrman, and Scott Mullins of the City of Tomball Fire Marshal's Office.

6.0 Reports and Announcements:

- November 10, 2018 – **“Depot Day”**, a National Model Railroad Month Celebration at the Depot-Tomball; 10:00 a.m.-5:00 p.m.
- November 12, 2018 – Special Planning & Zoning Commission Meeting – 5:00 p.m.; Possible Quorum of Council
- November 16, 2018 – **Christmas Tree Lighting** at the Depot – 7:00 p.m.
- November 17, 2018 – **Tomball Holiday Parade**
- November 22-23, 2018 – **Thanksgiving Holidays** – City offices closed
- December 1, 2018 – **“Christmas on Commerce” – a 2nd Saturday at the Depot** Event
- December 7-9, 2018 – **Tomball German Christmas Market**
- December 24-25, 2018 – **Christmas Holidays** – City offices closed
- January 1, 2019 – **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:
 - Lisa Coe reported on the success of the **4th “Annual Paces for Pink” 5K Run**. Mayor Fagan presented a check to Lee Ann Kroon, Executive Director-TOMAGWA, for \$13,187.60.

7.0 Motion was made by Councilman Townsend, second by Councilman Degges, to approve the Minutes of the October 15, 2018 Special Tomball City Council Meeting and the October 15, 2018 Regular Tomball City Council Meeting

Motion carried unanimously.

8.0 Old Business:

- 8.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2018-34, 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”) by Creating a Land Use for “Coffee Roasting”; 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

Aye

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

Motion carried unanimously.

- 8.2 Motion was made by Councilman Townsend, second by Councilman Degges, to adopt, on Second Reading, Ordinance No. 2018-35, 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 Persimmon Global Logistics to Operate a “Coffee Roasting” Facility; Said Property being Approximately 4.0230 Acres, and being Legally Described as Lot 1 Block 1 Vasquez-Phoenix, Harris County, Texas, Generally Located at the Southwest Corner of Lizzie Lane and South Persimmon Road and Zoned Commercial; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability. 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.

9.0 New Business Consent Agenda:

Councilman Townsend requested the removal of Item 9.3 from the Consent Agenda.

- 9.1 Approve Request by the Spring/Woodlands-based Rumble Cats Classic Car Club for Use of the Depot Festival Area for Its Third Annual Rumble Cats Classic Car Club Show - The “Rally in the Alley” Car Show, to be held on Saturday, March 2, 2019, from 10 a.m. to 5 p.m.
- 9.2 Approve Request by The Houston Repertoire Ballet (HRB) for Financial Support for Eight Performances and Two Dress Rehearsals of "The Nutcracker" Ballet, to be held December 7-9, 2018 at the Tomball High School Theatre, in the Amount of \$15,500.00
- 9.4 Approve Tomball Sister City Organization Request for Support, Funding, and Road Closures, in the Amount of \$160,000.00, for the 2018 Tomball German Christmas

Market, to be held December 7-9, 2018, and the 2019 Tomball German Heritage Festival, to be held March 29-31, 2019

Motion was made by Councilman Stoll, second by Councilman Townsend, to approve New Business Consent Agenda Items 9.1, 9.2 and 9.4.

Motion carried unanimously.

10.0 New Business:

- 9.3 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Spring Creek County Historical Association Request for \$30,000.00 for Fiscal 2018-2019 Annual Operations.

Motion carried unanimously.

- 10.1 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to read Ordinance No. 2018-36 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Stoll, second by Councilman Townsend, to adopt, on First Reading, Ordinance No. 2018-36, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas by Amending Section 8-122, Definitions, and Section 8-124, Keeping Restricted, of Article III, Livestock, of Chapter 8, Animals, to Add a Definition of Agricultural Science Project Center, and to Exclude the Regulations of Section 8-124 From Applying to Agricultural Science Project Centers; 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 Stoll, second by Councilman Townsend, to adopt, on First Reading, Ordinance No. 2018-36, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas by Amending Section 8-122, Definitions, and Section 8-124, Keeping Restricted, of Article III, Livestock, of Chapter 8, Animals, to Add a Definition of Agricultural Science Project Center, and to Exclude the Regulations of Section 8-124 From Applying to Agricultural Science Project Centers; 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, by amending Section 8-122 – Definitions to state “*Agricultural Science Project Center* shall mean a facility that adheres to school project facility guidelines as approved by the City Council and is designed to meet the Supervised Agricultural Experiences (SAE) requirement of agricultural education

as stated by the Texas Administrative Code” and Section 8-124 – Keeping restricted, to state “With the exception of Agricultural Science Project Centers that are approved by City Council, the following restrictions shall apply to all livestock kept within the city”. 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 to AMEND carried unanimously.

- 10.2 Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball to Consider the Advisability of the Creation of a Public Improvement District to make Certain Improvements over Certain Property located within the Corporate Limits of the City of Tomball (TPID 8 – Timber Trail Subdivision) at 6:26 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:27 p.m.

- 10.3 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Resolution No. 2018-28, a Resolution Making Findings in Connection with the Proposed Public Improvement District Number Eight Related to the Advisability of the Improvements, the Nature of the Improvements, the Estimated Cost of the Improvements, the Boundaries of the Proposed District, the Method of Assessment and the Apportionment of Cost Between the District and the City as a Whole; and Making Other Findings Related to the District (TPID 8 – Timber Trail Subdivision).

Motion carried unanimously.

- 10.4 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Resolution No. 2018-29, a Resolution Authorizing the Establishment of the Public Improvement District Number Eight in the City of Tomball, Texas; Authorizing Publication of This Resolution, Providing for the Preparation of a Service and Assessment Plan; and Making Other Provisions Related to the Subject (TPID 8 – Timber Trail Subdivision).

Motion carried unanimously.

- 10.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Development Agreement between the City of Tomball and Tomball

Grand Junction, LLC for the Construction of Improvements in Tomball Public Improvement District Number Eight (TPID 8), Timber Trail Subdivision.

Motion carried unanimously.

- 10.6 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Resolution No. 2018-31, a Resolution of the City Council of the City of Tomball, Texas, authorizing the City Manager or the Assistant City Manager to Commit Additional Funds in Accordance with the Agreement for the Community Development Block Grant for Drainage Improvements in the Most-Impacted Areas.

Motion carried unanimously.

- 10.7 Motion was made by Councilman Townsend, second by Councilman Ford, to approve the Amendment to the ESD #15 Service Contract to Reimburse the City for, in Addition to the Provisions of the Amended Agreement dated October 1, 2017, an Additional Three Full-Time Firefighter Positions at Station 5.

Motion carried unanimously.

- 10.8 Motion was made by Councilman Townsend, second by Councilman Degges, to award the Purchase of Three (3) Chevrolet Colorado Extended Cab (2WD), One (1) Chevrolet Colorado Crew (4x4), One (1) Multi-Passenger Van (PD), One (1) PD SUV (Civilian), Four (4) Police Interceptors, and One (1) Mini-Excavator through the State Buyboard Cooperative Purchasing Contract, in the Amount of \$271,521.00.

Motion carried unanimously.

- 10.9 Motion was made by Councilman Ford, second by Councilman Stoll, to approve Reject Bids received for Project No. 2018-19, City of Tomball Broussard Community Park Site Improvements Phase II, and Authorize Rebidding the Project.

Motion carried unanimously.

- 10.10 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve the Execution of a Professional Service Agreement for E&P Project No. 2018-10028 with Randall Scott Architects to Provide a Comprehensive Facility Needs Assessment and Facility Master Planning for the City, for an Amount of \$75,000.00.

Motion carried unanimously.

11.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 19th day of November 2018.

Doris Speer
Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor