

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



**MONDAY, JULY 16, 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
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Community Development – Craig Meyers
Director of Public Works – Beth Jones
Planner – Amelia Lindley
Assistant City Secretary – Tracy Garcia
Fire Marshal – Joe Sykora
Community Center Manager – Rosalie Dillon
Sergeant – Chris Burns

1.0 The invocation was led by Pastor Brandon Guindon, Real Life Ministries

2.0 Pledges to U. S. and Texas Flags were led by Joe Sykora.

3.0 No public comments were received.

4.0 Reports and Announcements:

- Tomball City Pool – 2018 Swim Season - Jerry Matheson Park Pool will operate with normal hours through August 19. From August 20 through September 2, the pool will be open on Saturday and Sunday only. The

pool will be closed every Monday during swim season 2018, except Memorial Day (May 28), July 4th, and Labor Day (September 3). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.

- **TOMBALL KID'S CLUB** – July 10, 12, 17, 19, 24, 26, and 31; August 2, 7, 9, 14, and 16 from 10:30 a.m.-12:30 p.m., at the **Tomball Community Center** and July 13, 20, and 27; August 3, 10, and 17 from 10:30 a.m.-12:30 p.m. at **LoneStar College-Tomball Community Library**
- August 3, 2018 – **Tomball Night & Parade of Lights**
- September 15, 2018 – **GroovFest'18** at the Depot
- Reports by City staff and members of Council about items of community interest on which no action will be taken:
 - Mike Baxter presented the *Texas Festival Events Association Awards* received by the City of Tomball.

- 6.0 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve the Minutes of the July 2, 2018 Regular Tomball City Council Meeting.

Motion carried unanimously.

- 7.0 New Business:

- 7.1 Mayor Fagan opened the Public Hearing to Consider the Annexation of the Following Tract of Land: Being a 0.6123 Acre Portion of Brown road, (60.00 Feet in Width), According to a Deed Filed for Record in Volume 3194, Page 388 of the Harris County Deed Records and 3.0223 Acres of Land for Proposed Annexation Situated in the Joseph House Survey, A-34 in Harris County, Texas, same being Comprised of All of Lot 1 in Block 1 of Fourteen Six Hundred Business Park, a Subdivision in Said Harris County, Texas according to the Map or Plat Thereof Filed for Record under Film Code No. 680728 of the Harris County Map Records) – [a Portion of Brown Road Right-of-Way and 14600 Brown Road; PFG Companies] at 6:09 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:10 p.m.

- 7.2 Motion was made by Councilman Townsend, second by Councilman Ford, to approve Resolution No. 2018-18, 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 (All That Certain Tract or Parcel Containing 1.5153 Acres of Land for Proposed

Annexation Purposes Situated in the Joseph House Survey, A-34 in Harris County, Texas, Same Being Comprised of a 1.5153 Acre Portion of Brown Road, (60.00 Feet in Width), According to a Deed Filed for Record in Volume 3194, Page 388 of the Harris County Deed Records) [A Portion of Brown Road from SH 249 to PFG Company Property].

Motion carried unanimously.

- 7.3 Consideration To Approve **Zoning Case P17-0115**: Request by Robert Allen to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 76.01 acres of land legally described as a portion of Reserve “D” Reserve at Spring Lake – Section 2, within the City of Tomball, Harris County, Texas, generally located at the north end of Spring Lake Blvd., from the Agricultural District to the Single-Family 20 Estate District.

- Mayor Fagan opened the floor for public comments on **Zoning Case P17-0115** at 6:22 p.m.; the following public comments were received:

Michael Young Allen Development 12147 Misty Moss Lane, 77070	-	Expressed his support, advised changes to proposed development.
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Matthew Klein 31010 Ulrich, 77375	-	Did not wish to speak, asked that his opposition be read into the minutes.
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Kim Klein 31010 Ulrich, 77375	-	Did not wish to speak, asked that her opposition be read into the minutes.
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Xavier Grostabussiat 13318 Wildwood, 77375	-	Did not wish to speak, asked that his opposition be read into the minutes.
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David DiCamillo 31215 Ulrich, 77375	-	Expressed his opposition to the proposed rezoning.
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Kay Metcalf 2510 S. Cherry, 77375	-	Expressed her opposition to the proposed rezoning.
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Sandy Maurer 13215 Spring Hollow, 77375	-	Did not wish to speak, asked that her opposition be read into the minutes.
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| Robert J. Maurer
13215 Spring Hollow, 77375 | - | Expressed his opposition to the proposed rezoning. |
| Rusty Mohle
13203 Spring Hollow, 77375 | - | Expressed his opposition to the proposed rezoning. |
| Sheri Mohle
13203 Spring Hollow, 77375 | - | Expressed her opposition to the proposed rezoning. |
| Vic Lawrence
13202 Spring Hollow, 77375 | - | Expressed his opposition to the proposed rezoning. |
| Earle D. Oldham
610 Inwood, 77375 | - | Did not wish to speak, asked that his opposition be read into the minutes. |
| Deanna Lawrence
13202 Spring Hollow, 77375 | - | Did not wish to speak, asked that her opposition be read into the minutes. |
| Kitty Jo White
13211 Clepper Dr., 77375 | - | Did not wish to speak, asked that her opposition be read into the minutes. |
| Ed M. White
13211 Clepper Dr., 77375 | - | Did not wish to speak, asked that his opposition be read into the minutes. |
| Bobbie Oldham
610 Inwood, 77375 | - | Did not wish to speak, asked that her opposition be read into the minutes. |
| Edward Sansom (email) | - | Did not wish to speak, asked that his opposition be read into the minutes. |
| Steven Patton
30931 Ulrich, 77375 | - | Did not wish to speak, asked that his opposition be read into the minutes. |

Letter of Support/Petition, signed by the following residents and/or property owners in The Reserve at Spring Lake, Section 1 and 2, expressing support for the proposed rezoning, was read into the minutes:

Martha L. Andrade
30927 Spring Lake Blvd.

Estella Jagaon & Ignacio Cartagena
31211 Roanoke Woods

George P. & Patricia S. Daily
30818 Spring Lake Blvd.

Suisheng M. Dou & Xiao Jiarong
30934 Spring Lake Blvd.

Karen & David Duhon
30710 Spring Lake Blvd.

Meghan N. & Daniel R. Eilers
12919 Mossy Shore Dr.

Deana M. Lemaster & Joe T. Farr
30919 Spring Lake Blvd.

Paul & Margie Haddon
12911 Mossy Shore Dr.

Judy & Tony Hamblen
12918 Mossy Shore Dr.

Matthew Madson
12902 Mossy Shore Dr.

Sandy & John Moss
30718 Spring Lake Blvd.

Anthony Muckelroy & Ruth Annette Monks
30802 Spring Lake Blvd.

Anita M. & Steven L. Mueller
31127 and 31135 Spring Lake Blvd.

Erin G. & William E. Summer, III
30618 Spring Lake Blvd.

LeighAnn & Gordon Taylor
30926 Spring Lake Blvd.

Holly L. & Benjamin P. Thibodeaux
31119 Roanoke Woods Dr.

Kyleen & Carter Wagner
30918 Spring Lake Blvd.

Rachael & Michael C. Worthen
12926 Mossy Shore Dr.

Robert M. Allen – Vice President
Zion Road Properties, LLC.

Receiving no additional public comments, Mayor Fagan closed the Public Hearing at 6:46 p.m.

Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2017-36 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2017-36, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Code of Ordinances by Changing the Zoning District Classification of Approximately 76.01 Acres of Land, Legally Described Reserve “D” Reserve At Spring Lake – Section Two, Within the City of Tomball, Harris County, Texas, from the Agricultural District to the Single-Family 20 Estate District; Said Property Being Generally Located at the North End of Spring Lake Boulevard; 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>Nay</u>

Motion carried, 4 votes Aye, 1 vote Nay.

- 7.4 Consideration to Approve **Zoning Case P18-079**: Request by Jason Young, of SRP Medical Investments, L.P., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13.36 acres of land legally described as Lots 174 & 178 and Tracts 166B, 170, 170A & 170B Tomball Outlots, within the City of Tomball, Harris County, Texas, generally located at the southeast corner of Michel Street and School Street, from the Agricultural District to the Commercial District.

- Mayor Fagan opened the Public Hearing on **Zoning Case P18-079** at 7:50 p.m.

One public comment form was read into the record, from Dr. Brian Harkins, 455 School Street, 77375, expressing his support for the proposed rezoning.

Receiving no additional public comments, Mayor Fagan closed the Public Hearing at 7:50 p.m.

Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2018-22 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2018-22, 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 13.36 Acres of Land, Legally Described Lots 174 & 178 and Tracts 166b, 170, 170a & 170b Tomball Outlots, 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 Michel Street and School 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. 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 Motion was made by Councilman Townsend, second by Councilman Stoll, to adjourn.

Motion carried unanimously.

Meeting adjourned at 6:24 p.m.

PASSED AND APPROVED this the 6th day of August 2018.

Doris Speer
Doris Speer, TRMC, MMC
City Secretary

Grethen Fagan
Gretchen Fagan
Mayor