

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



**MONDAY, JUNE 4, 2018
6:00 P.M.**

1.0 Meeting was called to order by Mayor Fagan at 6:00 p.m. Other members present:

Councilman Stoll
Councilman Townsend
Councilman Klein Quinn

Members absent:

Councilman Ford – Excused
Councilman Degges – Excused

Others present:

City Manager – Robert Hauck
Assistant City Manager – David Esquivel
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
City Engineer – Beth Jones
Community Center Manager – Rosalie Dillon
Assistant City Secretary – Tracy Garcia
Police Officer-Investigations – James Harral
Utilities Superintendent – John Escamilla
Fire Marshal – Joe Sykora
TEDC Executive Director – Kelly Violette

2.0 The invocation was led by Pastor Mike Hernandez of Local 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 Mayor Fagan presented a Certification of Recognition – William Hunter Lang – VFW **Scout of the Year.**

6.0 Reports and Announcements:

- Tomball City Pool – 2018 Swim Season - Jerry Matheson Park Pool will be open Memorial Weekend, May 26-28, then will reopen on June 2 and 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.
- June 6, 2018 – **10th Annual Economic Outlook Luncheon** – sponsored by the Tomball Economic Development Corporation at Lone Star College-Tomball – 11:30 a.m.-1:30 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**
- July 4, 2018 – **July Fourth Celebration & Street Festival** – Business 249 at FM 2920
- July 7, 2018 – **2nd Saturday at the Depot**
- August 3, 2018 – **Tomball Night & Parade of Lights**
- Reports by City staff and members of Council about items of community interest on which no action will be taken:
 - Mike Baxter presented a report on the "**Honky Tonk Chili Challenge**" and the "**Oil Town USA**" **Jamboree** at the Depot.

7.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the May 21, 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. 2018-16, 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 a 2.844-Acre Tract of Land in the Jesse Pruitt Survey, Abstract No. 629, Harris County Texas, out of and a part of that Certain 4.8914-Acre Tract of Land described in Deed recorded under Clerk's File No. 2013-0036029 of the Official Public Records of Real Property of Harris County, Texas, Located at 22828 Hufsmith-Kohrville Road*). Vote was as follows:

Councilman Ford	<u>Absent</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Absent</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 Stoll, to adopt, on Second Reading, Ordinance No. 2018-19, 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 0.0803 Acres of Land, Legally Described Lot 18 Block 70 Tomball, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Old Town and Mixed Use District; Said Property being generally located on the West Side of Chestnut Street and the North Side of Mechanic 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>Absent</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Absent</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

9.0 New Business:

- 9.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to remove from Table for Consideration and Possible Action to Approve an Amended Development Agreement with LS Development, LLC (Developer of Raleigh Creek Subdivision) for Public Improvement District No. 2 (Raleigh Creek), Containing the Same Terms Provided in the Development Agreements for PID 3 and Subsequent City of Tomball PIDs.

Motion carried unanimously.

Motion having previously been made by Councilman Klein Quinn, second by Councilman Stoll, to approve an Amended Development Agreement with LS Development, LLC (Developer of Raleigh Creek Subdivision) for Public Improvement District No. 2 (Raleigh Creek), Containing the Same Terms Provided in the Development Agreements for PID 3 and Subsequent City of Tomball PIDs, discussion was held.

Motion carried unanimously.

- 9.2 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Agreement for Annexation and Provision of Water Services with Houston PFG, Inc. for the City to Temporarily Provide Out-of-City Water Service

Motion carried unanimously.

- 9.3 Council received the Tomball Economic Development Corporation (TEDC) 2017-2018 Annual Report.

No action necessary.

- 9.4 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve, as a Project of the Corporation, an agreement with Grimes Industrial, Inc., to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with expansion and development of its current facility located at 929 E. Main Street, Tomball, TX 77375. The estimated amount of expenditures for such Project is \$15,485.00.

Motion carried unanimously.

- 9.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve, on First Reading, Resolution No. 2018-15-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development with an Economic Development Agreement by and between the Corporation and ARC Management, LLC, to make direct incentives to, or expenditures for, assistance with infrastructure costs to be required or suitable for the promotion of new or expanded business development related to the development and construction of a multibuilding office/warehouse park to be located at 14426-14434 Medical Complex Drive, Tomball, TX 77375. The estimated amount of expenditures for such Project is \$186,700.00.

Motion carried unanimously.

- 9.6 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve, on First Reading, Resolution No. 2018-16-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Agreement by and between the Corporation and The Neutral Nest, to make direct incentives to, or expenditures for, rental assistance for new or expanded business enterprise to be located at 104 Commerce, Tomball, TX 77375. The estimated amount of expenditures for such Project is \$6,300.00.

Motion carried unanimously.

- 9.7 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2018-21 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. 2018-21, an Ordinance of the City of Tomball, Texas, Amending the Code of Ordinances to Add a New Section 18-287, Detention Pond Operation and Maintenance, to Article VII, Drainage Design, of Chapter 18, Environment; 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>Absent</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Absent</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 Stoll, to award Contract for Project No. 2018-13, Diesel Fuel and Gasoline, to Sole Bidder, Sun Coast Resources, Inc.

Motion carried unanimously.

- 9.9 Executive Session: The City Council recessed at 6:54 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. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – Director of Public Works

Upon reconvening into regular session at 7:08 p.m., the following actions were taken:

- 9.10 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Appointment of Beth Jones as Director of Public Works, Pursuant to Section 7.10 of the City Charter.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 18th day of June 2018.

Doris Speer
Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor