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

## MONDAY, MARCH 5, 2018
## 6:00 P.M.

1.0 Call to Order

The Council meeting was called to order at 6:00 p.m. by Mayor Fagan. Other members present:

Councilman Ford
Councilman Stoll
Councilman Townsend
Councilman Klein Quinn

Members absent:

Councilman Degges - Excused

Others present:

City Manager – George Shackelford
Assistant City Manager – Rob Hauck
City Secretary – Doris Speer
City Attorney – Loren Smith
Police Chief – Billy Tidwell
Fire Chief – Randy Parr
Fire Marshal – Joe Sykora
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Public Works – David Esquivel
Director of Community Development – Craig Meyers
City Engineer – Beth Jones
Assistant City Secretary – Tracy Garcia
Community Center Director – Rosalie Dillon
Police Officer-Investigations – James Harral

2.0 The invocation was led by Ben Haug, Student Ministry Director of Tomball Bible Church

3.0 The pledges to U. S. and Texas Flags were led by Randy Parr

4.0 No public comments were received.

5.0 Reports and Announcements:

- March 10, 2018 – **2nd Saturday at the Depot**
- April 14, 2018 – **2nd Saturday at the Depot**
- April 28, 2018 – **Lions Club Car Show** – Lone Star College-Tomball
- Reports by City staff and members of council about items of community interest on which no action will be taken:
  - Billy Tidwell presented the Voluntary Handicapped Parking Enforcement Program and a few of the volunteers.
  - Tracy Garcia presented a report on the success of the Trail Ride Reception.

6.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the February 19, 2018 Regular Tomball City Council Meeting.

Motion carried unanimously.

7.0 Old Business:

7.1 Motion was made by Councilman Ford, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2018-07, an Ordinance of the City Council of Tomball, Texas, Levying an Assessment against Section Two Properties within the City of Tomball Public Improvement District Number Two (Raleigh Creek Subdivision); and Making Certain Findings Related Thereto. Vote was as follows:

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|---|---|
| Councilman Ford | Aye |
| Councilman Stoll | Aye |
| Councilman Degges | Absent |
| Councilman Townsend | Aye |
| Councilman Klein Quinn | Aye |

Motion carried unanimously.

7.2 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to adopt, on Second Reading, Ordinance 2018-09, 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 0.32 Acres of Land, Legally Described Lots 11 & 12 Block 6 Main Street – 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 at the Southeast Corner of Barbara Street and Lawrence 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:

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|---|---|
| Councilman Ford | Aye |
| Councilman Stoll | Aye |
| Councilman Degges | Absent |
| Councilman Townsend | Aye |
| Councilman Klein Quinn | Aye |

Motion carried unanimously.

7.3 Motion was made by Councilman Stoll, second by Councilman Ford, to adopt, on Second Reading, Ordinance No. 2018-10, 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 1 Acre of Land, Legally Described Lots 7, 8, 9 & 10 Block 8 Main Street Addition and Tract 11a, 11b, 12a &12b Block 8, Part of Lots 11 & 12 Main Street - 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 East Side of Raymond Street, between Barbara Street and Alma 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 | Aye |
| Councilman Stoll | Aye |
| Councilman Degges | Absent |
| Councilman Townsend | Aye |
| Councilman Klein Quinn | Aye |

Motion carried unanimously.

7.4 Motion was made by Councilman Klein Quinn, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2018-11, an Ordinance Altering the Prima Facie Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, within the Corporate Limits of the City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars ($200.00) for the Violation of This Ordinance. Vote was as follows:

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|---|---|
| Councilman Ford | Aye |
| Councilman Stoll | Aye |
| Councilman Degges | Absent |
| Councilman Townsend | Aye |
| Councilman Klein Quinn | Aye |

Motion carried unanimously.

8.0 New Business:

8.1 Motion was made by Councilman Stoll, second by Councilman Townsend, to reappoint Tina Roquemore and April Gray to their respective positions as Members to the Board of Adjustments, for Terms Expiring March 2, 2020.

Motion carried unanimously.

8.2 Motion was made by Councilman Ford, second by Councilman Stoll, to approve Resolution 2018-05, 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 *(374.9 Acres of Land Situated in the Chauncey Goodrich Survey, Abstract Number 305, the Auguste Senechal Survey, Abstract Number 722, and the Sam Lewis Survey, Abstract Number 1704, Harris County, Texas, Being All of a Called 20.000 Acres Tract of Land Conveyed to County of Harris by Jimmy C. Shaw, Et Ux by Deed dated October 17, 2014 and Recorded in County Clerk's File 20140468595 of the Official Public Records of Real Property of Harris County, Texas, Being All of a Called 117.9465 Acres Tract of Land, Described in Six (6) Tracts, Conveyed to County of Harris by Merenco Realty, Inc. by Deed dated October 17, 2014 and Recorded in County Clerk's File 20140471160 of the Official Public Records of Real Property of Harris County, Texas, Being All of a Called 229.772 Acres Tract, Described in Thirteen, (13), Tracts, Being All of a Called 4.992 Acres Tract and Being All of a Called 2.363 Acres Tract Conveyed to County of Harris by Harris County Improvement District No. 17 by Deed Dated September 11, 2017 and Recorded in County Clerk's File Rp-2017-402273 of the Official Public Records of Real Property of Harris County, Texas, Save and Except that Certain Portion of Land Out of a Called 3.693 Acres, a Called 2.088 Acres, a Called 3.709 Acres, and a Called 148.751 Acres Tracts that apparently lies within the Said Lewis Survey)*

Motion carried unanimously.

8.3 Councilman Ford recused himself from discussion and action regarding Item 8.3, having filed an Affidavit of Conflict of Interest with the City Secretary.

Presentation was made by John Ford from Tomball Sports Medicine Center and Eric Evans from Tomball Regional Hospital regarding a possible joint venture with the City of Tomball, Harris County, Tomball Regional Medical Center and Tomball Regional Health Foundation for a Community Wellness Center.

No action taken; item will be placed on the March 19, 208 Council agenda for consideration and possible action.

8.4 Motion was made by Councilman Klein Quinn, second by Councilman Ford, to approve Resolution No. 2018-06, a Resolution of the City of Tomball, Texas, Canceling the Regular City Officer's Election Scheduled to be Held on the 5th Day of May, 2018, in Accordance with Section 2.053(A) of the Texas Election Code; Directing the Giving of Notice of Such Cancellation of Election; and Providing Details Relating to the Cancellation of Such Election

*Fue presentada una moción por el Concejal Klein Quinn, secundada por el Concejal Ford, para aprobar la Resolución Nro. 2018-06 Cancelando la Elección Regular de Funcionarios Municipales programada para celebrarse el día 5 de mayo de 2018 de acuerdo con la Sección 2.053(a) del Código Electoral de Texas; instruyendo que se de aviso de tal cancelación de elección; y proveyendo detalles relativos a la cancelación de tal elección.*

Cuộc Vận Động được tiến hành bởi Ủy Viên Hội Đồng Klein Quinn, tán thành bởi Ủy Viên Hội Đồng Ford, để chấp thuận Nghị Quyết số 2018-06, Hủy Bỏ Cuộc Bầu Cử Viên Chức Thành Phố Thường Kỳ Dự Kiến sẽ được tổ chức vào ngày 5 tháng Năm, 2018, Chiếu theo Mục 2.053(a) của Bộ Luật Tuyển Cử Texas; Chỉ thị việc đưa ra Thông Báo về Hủy Bỏ Cuộc Bầu Cử đó; và Cung Cấp Thông Tin Chi Tiết Liên quan đến việc Hủy Bỏ Cuộc Bầu Cử đó.

提案是由市議員Klein Quinn，第二由市議員Ford，批准決議案編號2018-06，取消一般市府官員應於2018年5月8日的選舉計畫，其是根據德克薩斯州選舉法2.053(a)節；茲此通知該選舉取消；以及提供關於取消該選舉的詳情。

Motion carried unanimously.
*La moción fue aprobada por unanimidad.*
Cuộc Vận Đồng được nhất trí tiến hành.
議案獲得一致通過。

8.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Resolution No. 2018-04, a Resolution of the City of Tomball, Texas, Amending the Master Fee Schedule for Fiscal Year 2017-2018.

Motion carried unanimously.

8.6 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2018-13 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Stoll, second by Councilman Townsend, to approve the Abandonment of a City of Tomball Utility Easement and to adopt, on First Reading, Ordinance No. 2018-13, an Ordinance of the City of Tomball, Texas, Finding and Determining that the Public Convenience and Necessity no longer require the Continued Existence of a Certain Portion of a City of Tomball Utility Easement across a Certain 0.129 Acre Tract of Land Being Out of Lot 1 in Block 1 of the Fourteen Six Hundred

Business Park Subdivision of Which is Recorded in Film Code 680728 of the Map Records of Harris County, Texas; Vacating, Abandoning, and Closing Said Portion of Such City of Tomball Utility Easement; Authorizing the City Manager to Execute and the City Secretary to Attest a Quitclaim Deed Quitclaiming the City's Interest in Said Abandoned Easement; and Containing Other Provisions Relating to the Subject. Vote was as follows:

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| Councilman Ford | Aye |
| Councilman Stoll | Aye |
| Councilman Degges | Absent |
| Councilman Townsend | Aye |
| Councilman Klein Quinn | Aye |

Motion carried unanimously.

8.7 Executive Session: The City Council recessed at 6:46 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 – City Manager
- Sec. 551.072 – Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property

Upon reconvening into regular session at 6:54 p.m., the following action was taken:

8.8 Motion was made by Councilman Townsend, second by Councilman Klein Quinn to approve and authorize the purchase of a 1.838-Acre Tract of Land out of Reserve "C" of Calvary Baptist of Tomball Subdivision, located East of Hufsmith Kohrville Road and Owned by D S Services.

9.0 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to adjourn.

Motion carried unanimously.

Meeting adjourned.

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

*Doris Speer*
Doris Speer, TRMC, CMC
City Secretary

*Gretchen Fagan*
Gretchen Fagan
Mayor