

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



**MONDAY, DECEMBER 18, 2017
6:00 P.M.**

1.0 Call to Order

The Council meeting was called to order at 6:00 p.m. by Mayor Pro Tem Klein Quinn. Other members present:

Councilman Ford
Councilman Stoll
Councilman Degges
Councilman Townsend

Members absent:

Mayor Fagan - Excused

Others present:

City Manager – George Shackelford
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Director of Public Works – David Esquivel
Director of Community Development – Craig Meyers
City Engineer – Beth Jones
City Planner – Amelia Lindley
Assistant City Secretary – Tracy Garcia
Community Events Coordinator – Denise Fiore
Community Center Director – Rosalie Dillon
CSO Admin. Assistant – Ruth Tapley
CSO Admin. Assistant – Sasha Robinson
Police Officer-Investigations – Gary Hammond

2.0 The invocation was led by Pastor Kenny Rodgers, Anointed Faith Family Church, Tomball.

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

4.0 The following public comments were received:

Wayne Nagel - Expressed his concerns regarding drainage issues on his
12929 Zion Road, 77375 property, created by new development to the west; advised
he is considering possible litigation.

5.0 Reports and Announcements:

- December 25-26, 2017 – **Christmas Holidays** – City offices closed
- January 1, 2017 – **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 – Report on success of **“Christmas on Commerce”**
 - Doris Speer – City Secretary's Office has received the **“2017 Exemplary Five Star” Award** from Texas Department of Vital Statistics – **7th Year**

6.0 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve the Minutes of the December 4, 2017 Regular Tomball City Council Meeting.

Motion carried unanimously.

7.0 Old Business:

7.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve, on Second Reading, Ordinance No. 2017-41, an Ordinance of the City of Tomball, Texas, Finding and Determining that Public Convenience and Necessity No Longer Require the Continued Existence of a Part of Florence Street Between Elm Street and the Burlington Northern Railroad, All Situated in the William Hurd Survey, Abstract Number 371, Harris County, Texas, and as Recorded in Volume 004, Page 25 of the Map Records of Harris County, Texas; Vacating, Abandoning, and Closing Said Street Right-of-Way; Providing for Severability; and Containing Other Provisions Relating 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.

8.0 New Business:

- 8.1 Motion was made by Councilman Townsend, second by Councilman Ford, to approve Professional Services Agreement with Gunda Corporation in the Amount of \$66,909.40 for the Design and Construction of a Parking Lot Expansion at the Wayne Stovall Sports Complex.

Motion carried unanimously.

- 8.2 Consideration to Approve **Zoning Case P17-0131**: Request by Marie Reynolds to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 0.35 acres of land legally described as Tract 6 Block 2 Hirschfield Farms Sec 1 U/R within the City of Tomball, Harris County, Texas, generally located south of Hirschfield Road between SH 249 and High Meadow Road, from the Agricultural District to the Commercial District.

- Mayor Pro Tem Klein Quinn called the Public Hearing to order at 6:17 p.m. for **Zoning Case P17-0131**.

Receiving no public comments, Mayor Pro Tem Klein Quinn closed the Public Hearing at 6:19 p.m.

- Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2018-02 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. 2018-02, 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 0.35 Acres of Land, Legally Described Tract 6 Block 2 Hirschfield Farms Sec 1 U/R, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; Said Property being generally Located on the South of Hirschfield Road between SH 249 and High Meadow 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. Vote was as follows:

Councilman Ford	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>

Councilman Townsend
Councilman Klein Quinn

Aye
Aye

Motion carried unanimously.

- 8.3 Consideration to Approve **Zoning Case P17-0137**: Request by Lance Langenhoven to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5.8588 acres of land legally described as Lot 61 Block 1 Abandoned Animal Rescue Replat within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith at Hospital Road, from the Agricultural District to the Commercial District.

- Mayor Pro Tem Klein Quinn called the Public Hearing to order at 6:24 p.m. for Public Hearing on **Zoning Case P17-0137**:

Wayne Nagel - Expressed his opposition to the proposed
12929 Zion Road, 77375 zoning change.

Lance Langenhoven - Expressed his support for the proposed
8505 Technology Forest Pl. #501 zoning change.
77381

Dane Dunagin - Expressed his support for a change in the
535 E. Hufsmith, 77375 zoning classification to general retail with
a conditional use permit (CUP).

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

- No motion was received to read Ordinance No. 2018-03 by caption only on First Reading.
- No motion was received to adopt, on First Reading, Ordinance No. 2018-03, 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 5.8588 Acres of Land, Legally Described Lot 61 Block 1 Abandoned Animal Rescue Replat, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; said Property being generally Located on the North Side of East Hufsmith Road at Hospital 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.

Consideration of Ordinance No. 2018-03 failed due to lack of motion.

No action taken.

- 8.4 Consideration to adopt, on First Reading, Ordinance No. 2018-04, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Code of Ordinances by Amending Section 50-115(B)(2) by Requiring Refuse Areas to have a Gate that remains Closed at all Times Except when in Use and Adding Non-Conforming Language; 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 was withdrawn at the request of City staff.

No action taken.

- 8.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2018-05 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the abandonment of a Public Right-of-Way and to adopt, on First Reading, Ordinance No. 2018-05, an Ordinance of the City of Tomball, Texas, Finding and Determining that Public Convenience and Necessity no Longer Require the Continued Existence of a Part of an Unimproved Roadway Between South Pine Street and South Oak Street, All Situated in Block 31 of Revised Map of Tomball, Harris County, Texas, and as Recorded in Volume 004, Page 25 of the Map Records of Harris County, Texas; Vacating, Abandoning, and Closing Said Unimproved Roadway and Street Right-of-Way; Authorizing the Mayor to Execute and the City Secretary to Attest, Respectively, a Quitclaim Deed Conveying Said Unimproved Roadway and Street Right-of-Way to Lisa and James Bonnett; Providing for Severability; and Containing Other Provisions Relating 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.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 2nd day of January 2018.

Doris Speer
Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor