

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



**MONDAY, NOVEMBER 20, 2017
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 Degges
Councilman Townsend
Councilman Klein Quinn

Others present:

City Manager – George Shackelford
Assistant City Manager – Rob Hauck
City Secretary – Doris Speer
Police Chief – Billy Tidwell
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Public Works – David Esquivel
City Engineer – Beth Jones
City Planner – Amelia Lindley
TEDC-Executive Director – Kelly Violette
CSO Admin. Asst. – Sasha Robinson
Community Events Coordinator – Denise Fiore
Community Center Director – Rosalie Dillon
Police Officer-Investigations – James Harral

2.0 The invocation was led by Joe Grubb, Chaplain, American Legion Riders Chapter 127, Tomball

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

4.0 The following public comment was received:

John Cook
7515 Langley Road, 77389

- Requested an amendment to the City's code of ordinances to allow free campaigning on public property/rights-of-way within the city limits.

5.0 The following presentations were made:

- Al Gerhardt, Treasurer of Tomball Lions Club, presented \$500 each to the Tomball Fire Department and Tomball Police Department for use in their annual Christmas programs.
- Mayor Fagan presented a Proclamation for **Citizen of the Year 2017 – “Families Feeding Families”**.

6.0 Reports and Announcements:

- November 23-24, 2017 – **Thanksgiving Holidays** – City offices closed
- December 8-10, 2017 – **Tomball German Christmas Market**
- December 9, 2017 – **“Christmas on Commerce”** – a **2nd Saturday at the Depot** Event
- December 11, 2017 – Special City Council Meeting, Public Hearing – 5:30 p.m.
- 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 reported on the success of the **“Holiday Lamp Post Stroll”**
 - George Shackelford reported that the Government Finance Officers Association has again awarded the City of Tomball the **Certificate of Achievement for Excellence in Financial Reporting** for its Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended September 30, 2016 (27th Year).

7.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the November 6, 2017 Special and Regular Tomball City Council Meetings.

Motion carried unanimously.

8.0 Old Business:

8.1 Motion was made by Councilman Stoll, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2017-39, 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 Which Are Visible from a Public Right-of-Way be Visually Screened by a Minimum Six-Foot Solid Masonry Wall on at Least Three Sides; 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>Nay</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried, 4 votes Aye, 1 vote Nay.

9.0 New Business:

- 9.1 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve, as a Project of the Tomball Economic Development Corporation, an agreement with Houston Poly Bag I, Ltd to make direct incentives to or expenditures for equipment expansion for the creation and retention of primary jobs for Houston Poly Bag I, Ltd. The estimated amount of expenditures for such project is an amount not to exceed \$95,000.

Motion carried unanimously.

- 9.2 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve, as a Project of the Tomball Economic Development Corporation, an Agreement with Birner Houston Corp., dba Renewal by Andersen of Houston, to Make Direct Incentives To, or Expenditures For, the Creation or Retention of Primary Jobs Associated with the Relocation and Development of Its Corporate Headquarters to be Located at 647 James Street, Tomball, TX 77375. The Estimated Amount of Expenditures for Such Project is \$50,000.

Motion carried unanimously.

- 9.3 Motion was made by Councilman Degges, second by Councilman Townsend, to approve, on First Reading, Resolution No. 2017-21-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 Dancing Falls Development 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 27905 Commercial Park Road, Tomball, TX 77375. The estimated amount of expenditures for such Project \$50,925.00.

Motion carried unanimously.

- 9.4 Motion was made by Councilman Townsend, second by Councilman Degges, to award the contract for Project No. 2018-02, Quinn Road and Holderrieth Boulevard Sidewalks, to WadeCon, LLC in the amount of \$152,813.00.

Motion carried unanimously.

- 9.5 Motion was made by Councilman Ford, second by Councilman Stoll, to award the contract for Project No. 2018-04, Purchase of Chlorine & Sulfur Dioxide Gas, to DXI Industries.

Motion carried unanimously.

- 9.6 Motion was made by Councilman Townsend, second by Councilman Ford, to award the contract for Project No. 2018-05, Water Treatment Chemicals for Liquid Polyphosphate Blend and Zinc Orthophosphate, to Water Utility Services, Inc.

Motion carried unanimously.

- 9.7 Motion was made by Councilman Ford, second by Councilman Townsend, to award the contract for Project No. 2018-06, Materials for a Water and Sewer Extension, to ACT Pipe and Supply in the amount of \$88,186.65.

Motion carried unanimously.

- 9.8 Motion was made by Councilman Townsend, second by Councilman Degges, to approve and authorize the Mayor to Execute an Amendment to the Interlocal Agreement between the City of Tomball and Harris County Emergency Services District # 15.

Motion carried unanimously.

- 9.9 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve the CCN Transfer Agreement between Aqua Texas and the City of Tomball.

Motion carried unanimously.

- 9.10 Motion was made by Councilman Townsend, second by Councilman Stoll, to award the purchase of Three (3) Police Interceptors, from Caldwell Country, through the State Buyboard Cooperative Purchasing Contract, in the Amount of \$85,750, and the Related Upfitting by Cap Fleet Upfitters, in the Amount of \$55,918.

Motion carried unanimously.

- 9.12 Motion was made by Councilman Townsend, second by Councilman Degges, to approve Resolution No. 2017-20R, 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 (Remaining Portion of Tract 1: 0.5968 Acres of Land out of a 9.4852-Acre Tract in the Chauncey Goodrich Survey, Abstract No. 311, Harris County, Texas) [Majed, Inc.].

Motion to AMEND was made by Councilman Townsend, second by Councilman Degges, to approve Resolution No. 2017-20R, 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 (Remaining Portion of Tract 1: 0.5968 Acres of Land out of a 9.4852-Acre Tract in the Chauncey Goodrich Survey, Abstract No. 311, Harris County, Texas) [Majed, Inc.], and setting December 14, 2017 at 5:30 p.m. as the date and time for the second public hearing.

Motion, as AMENDED, carried unanimously.

Councilmember Townsend requested an item on the January 2, 2018 Council meeting for discussion and possible action regarding Councilmembers serving on the TEDC Board.

Consensus was unanimous to include this item for discussion and possible action.

9.11 Executive Session: The City Council recessed at 6:50 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

Upon reconvening in regular session at 7:45 p.m., no action was taken.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 4th day of December 2017.

Doris Speer
Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor