

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



**MONDAY, OCTOBER 2, 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 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 B. Smith
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Public Works – David Esquivel
Director of Community Development – Craig Meyers
Assistant City Secretary – Tracy Garcia
Community Center Director – Rosalie Dillon
Fire Marshal – Joe Sykora

2.0 The invocation was led by Pastor Billy Hines, Affinity Life Giving Church, Tomball.

3.0 The pledges to U. S. and Texas Flags were led by Arrow of Light Webelos Patrol, Packs 469 and 3471, Tomball (Lakewood United Methodist Church).

4.0 The following public comments were received:

Michael Keck - Announced he is a nominee for the Harris County
19131 Austin Bluff Ln Appraisal District and expressed his desire for Council
77377 (Northpointe) support.

5.0 Presentations:

- Mayor Fagan presented a Certificate of Appreciation to the **Tomball Wild Bunch**, 1st Place Winners at the First Chair Volleyball Competition, Harris County Precinct 4.

6.0 Reports and Announcements:

- October 3, 2017 – **National Night Out** at the Depot – 6:00 p.m.-8:00 p.m.
- October 7, 2017 – **5th “Annual Paces for Pink” 5K Run**
- October 9, 2017 – 5:00 p.m. – Vote on the Proposed 2017 Tax Rate
- October 14, 2017 – **“Zomball in Tomball”**
- October 16, 2017 – 6:00 p.m. – Vote on the Proposed 2017 Tax Rate
- October 21, 2017– **2nd Annual Freight Train Food Truck Festival** – 11:00 a.m. to 5:00 p.m.
- October 28, 2017 – **6th Annual Tomball Bluegrass Festival** – 11:30 a.m. to 6:00 p.m.
- November 11, 2017 – **2nd Saturday at the Depot**
- November 17, 2017 – **“Holiday Lamp Post Stroll”**
- November 18, 2017 – **52nd Annual Tomball Holiday Parade**
- November 23-24, 2017 – **Thanksgiving Holidays** – City offices closed
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Mike Baxter reported on the success of the **7th Annual Beetles, Brew & Barbeque Festival**

7.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the September 18, 2017 Regular Tomball City Council Meeting and the Minutes of the September 25, 2017 Special Tomball City Council Meeting

Motion carried unanimously.

8.0 Old Business:

- 8.1 Motion was made by Councilman Stoll, second by Councilman Ford, to adopt, on Second Reading, Ordinance No. 2017-30, an Ordinance Amending Article VI, Erosion and Sediment Control, of Chapter 18, Environment, of the Code of Ordinances of the City of Tomball, to Add Provisions to Support the City’s Compliance with Permitting Requirements for Stormwater System; Allowing an Application for a Site Development

Permit as an Alternative to an Erosion and Sediment Control Plan; Adopting Penalties in Accordance with Chapter 54 of the Texas Local Government Code; Adopting a New Article VIII, Illicit Discharge Program, of Chapter 18, Environment, Providing Definitions, Regulation and Enforcement of Illicit Discharges Into the City's Stormwater System; Adopting a New Article IX, Post-Construction Runoff Control Program, to Chapter 18, Environment, Establishing Definitions, Regulations, and Enforcement Regarding Discharge of Pollutants in the City's Stormwater Runoff from New Development and Significant Redevelopment; Adopting a New Article X, Pet Waste Management, to Chapter 18, Environment, to Establish Definitions, Regulations and Enforcement Regarding Discharge of Bacteria in Stormwater Runoff from Pet Waste; Providing a Penalty in an Amount Not to Exceed \$2,000.00 for any Violation of any Provision of this Ordinance; Repealing All Ordinances or Parts of Ordinances Inconsistent or in Conflict Herewith; Providing for Publication; and Providing for Severability. Vote was as follows:

Councilman Ford	<u>Aye</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 Ford, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2017-31, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas by Deleting the Word "Burglar" from Section 16-59, False Alarm Notification, of Division 2, Permits/Registration Accounts and Registration, of Article II, Emergency Alarm Systems, of Chapter 16, Emergency Services; Providing a Repealer, and Providing for Severability. Vote was as follows:

Councilman Ford	<u>Aye</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.

- 8.3 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to adopt, on Second Reading, Ordinance No. 2017-32, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas, by Deleting the Wording "Possibility of Imprisonment for Violation of the International Fire Code" from Section 20-28 (c), Amendments to the 2012 International Fire Code, of Article II, Fire Code, of Chapter 20 Fire Prevention and Protection; Providing a Repealer, and Providing for Severability. Vote was as follows:

Councilman Ford	<u>Aye</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.

- 8.4 Motion was made by Councilman Stoll, second by Councilman Ford, to adopt, on Second Reading, Ordinance No. 2017-34, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas by Adding a Penalty Provision to Article VI, Right of Way Management, and Article VII, Telecommunications and Wireless Facilities, of Chapter 38, Streets, Sidewalks and Other Public Places, Providing for Severability, Making Other Findings. Vote was as follows:

Councilman Ford	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Absent</u>
Councilman Townsend	<u>Nay</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried, 3 votes Aye, 1 vote Nay.

9.0 New Business:

- 9.1 Mayor Fagan called the Second Public Hearing regarding the 2017 Tax Year Proposed Property Tax Rate for the City of Tomball, Texas to order at 6:21 p.m.

Receiving no public comments, Mayor Fagan closed the Second Public Hearing regarding 2017 Tax Year Proposed Property Tax Rate for the City of Tomball, Texas at 6:21 p.m.

- 9.2 Mayor Fagan announced that Voting on the Proposed 2017 Tax Rate will be held at a Special Council Meeting on October 9, 2017 at 5:00 p.m. and at a Regular Council Meeting on October 16, 2017 at 6:00 p.m.

No action required.

- 9.3 Motion was made by Councilman Klein Quinn, second by Councilman Stoll, to reappoint Latrell Shannon and James Ross to their respective positions as Board Members to the Tomball Regional Health Foundation for Terms Expiring September 1, 2019.

Motion carried unanimously.

- 9.4 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2017-35 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. 2017-35, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas by Deleting Section 44-67, Use of Certain Wireless Communication Devices While Driving Prohibited, of Article III, Operation of Vehicles, of Chapter 44, Traffic and Vehicles, Making Findings, and Providing for Severability. Vote was as follows:

Councilman Ford	<u>Aye</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.

- 9.5 Motion was made by Councilman Klein Quinn, second by Councilman Ford, to approve Resolution No. 2017-16, a Resolution of the City Council of the City of Tomball, Texas, for the Designation of Its Representative and Alternate for the Houston-Galveston Area Council 2018 General Assembly, and designating Councilman Derek Townsend as the City's Representative and Councilman Mark Stoll as the City's Alternate.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 16th day of October 2017.

Doris Speer
Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor