

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



MONDAY, AUGUST 3, 2015

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 Hudgens
Councilman Stoll
Councilman Degges
Councilman Klein Quinn
Councilman Townsend

Others present:

City Manager – George Shackelford
Assistant City Manager – Robert Hauck
City Secretary – Doris Speer
City Attorney – Loren Smith
Police Chief – Billy Tidwell
Fire Chief – Randy Parr
Finance Director – Glenn Windsor
Public Works Director – David Esquivel
Director of Community Development – Craig Meyers
City Engineer – Lori Lakatos
City Planner – Harold Ellis
Fire Marshal – Doug Sanguedolce
Community Center Director – Rosalie Dillon
Detective – Kenneth Yoho

2.0 The invocation was led by Pastor Shawn O’Hearn, Western Apostolic Church.

3.0 The pledges to U. S. and Texas Flags were led by Boy Scout Troop # 113.

4.0 The following public comments were read into the record:

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| Linda Wrentz (email)
31203 Antonia Ln, 77375 | - | Expressing her opposition to digital billboards;
petition with 21 signatures |
| Jeffie Cappadonna (email)
12727 Zion Rd, 77375 | - | Expressing her opposition to digital billboards;
20 residents' names |
| Mary Harvey (email)
401 S. Walnut, 77375 | - | Expressing her opposition to digital billboards;
10 residents' names |
| Pat Bailey (email)
1319 Dove Trails, 77375 | - | Expressing her opposition to digital billboards; |
| Barbara Tague (email)
503 Inwood Dr, 77375 | - | Expressing her opposition to digital billboards;
12 residents' names |

5.0 Reports and Announcements:

- **Tomball City Pool – 2015 Swim Season - Jerry Matheson Park Pool** will close on September 7, 2015. The pool will be closed every Monday during swim season 2015 except Labor Day. June 9-August 23, 2015 will be regular weekly days and hours. August 29-September 7, 2015, the pool will open weekends only.
- **August 7, 2015 – Tomball Night**
- August 8, 2015 – **2nd Saturday at the Depot**
- August 29, 2015 – **Texas Music Festival** – 12:00 Noon-6:00 p.m.
- September 12, 2015 – **2nd Saturday at the Depot**
- September 26, 2015 – **5th Annual Bugs, Brew & Barbeque Festival** – 12:00 Noon-6:00 p.m.
- October 10, 2015 – **Sherine's Stride 5K Run**
- October 10, 2015 – **"Zomball in Tomball"**
- October 24, 2015 – **4th Annual Tomball Bluegrass Festival** – 12:00 Noon-6:00 p.m.
- **Walk Tomball!** – Every Saturday at **8:00 a.m.** at the Depot
- Reports by City staff and members of Council about items of community interest on which no action will be taken:
 - o Glenn Windsor presented the Quarterly Investment Report for Period Ending June 30, 2015. The Public Funds Investment Act requires that a report of the City's investments be presented to Council on a quarterly basis. The investment report includes a listing of all investments together with information relating to diversification, cost vs. market values, yield information, and weighted average maturities. On June 30, 2015, the City had total cash equivalents and investments totaling **\$52,909,730**. A copy of the report is attached for review.

- 6.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the July 20, 2015 Special and Regular City Council Meetings.

Motion carried unanimously.

7.0 Old Business:

- 7.1 Motion was made by Councilman Townsend, second by Councilman Hudgens, to adopt, on Second Reading, Ordinance No. 2015-13, an Ordinance of the City of Tomball, Texas Amending the Code of Ordinances of the City by Amending Article I, in General, of Chapter 32, Peddlers and Solicitors, Adding New Definitions of *Mobile* and *Mobile Food Vendors* to Section 32-1, Adding a New Section 32-11, Mobile Food Vendors; and Amending Section 32-49, Approval, Denial, Issuance, and Appeal, of Article II, Permit, of Chapter 32, Peddlers and Solicitors, to Provide for Denial of a Permit for a Mobile Food Vendor if Such Vendor has Any Unpaid Municipal Court Fines Resulting from the Operation of Such Unit; Providing a Penalty for Violation of Any Part of This Ordinance in an Amount not to exceed \$2,000.00 per Violation with Each Day Constituting a Separate Violation; Providing for Severability; and Making Other Findings related Hereto. Vote was as follows:

Councilman Hudgens	<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 Mayor Fagan opened the Public Hearing on the Proposed Budget for Fiscal Year 2015-2016 at 6:13 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:13 p.m.

- 8.2 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2015-14 by caption only on first reading.

Motion carried unanimously.

Councilman Stoll advised that he would abstain from discussion regarding the Zion Road sidewalks and requested Council consensus before participating in

the vote on Ordinance No. 2015-14. Consensus of remaining Council was unanimous.

Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to adopt, on First Reading, Ordinance No. 2015-14, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2015-2016; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2014-2015 Fiscal Year in Accordance with Actual Expenditures; and Providing other Details Relating to the Passage of This Ordinance. Vote was as follows:

Councilman Hudgens	<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.

- 8.3 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Assignment of Development Agreement regarding the Assignment of Annual Assessment Collections for PID No. 2, Raleigh Creek.

Following discussion, motion was made by Councilman Townsend, second by Councilman Stoll, to table consideration of the Assignment of Development Agreement regarding the Assignment of Annual Assessment Collections for PID No. 2, Raleigh Creek until the City has received a response from the developer.

Motion to TABLE carried unanimously.

- 8.4 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to reject All Bids for Project No. 2015-05 – Purchase of Excavator/Track Hoe.

Motion to REJECT carried unanimously.

- 8.5 Motion was made by Councilman Hudgens, second by Councilman Townsend, to approve Tomball Sister City Organization Request for Support, Funding, and Road Closures in the amount of \$35,000 for the 2015 Tomball German Christmas Market, to be held December 10-15, 2015, and in the amount of \$35,000 for the 2016 Tomball German Heritage Festival, to be held March 31, 2016 through April 3, 2016.

Motion carried unanimously.

- 8.6 Motion was made by Councilman Stoll, second by Councilman Townsend, to reappoint Alternate Municipal Court Judges Blair Bruce, Michael Tiffin, and Cindy Bennett Smith to their respective positions, with new terms expiring August 31, 2017.

Motion carried unanimously.

- 8.7 Motion was made by Councilman Hudgens, second by Councilman Stoll, to approve **CSS Real Estate Holding I**: Being all of a Called 0.8556 Acres Recorded under County Clerk's File Number Z417949 of the Official Public Records Real Property of Harris County Map Records Located in the Joseph Survey, Abstract 34 Harris County, Texas.

Motion carried unanimously.

- 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 17th day of August 2015.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor