

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



MONDAY, JULY 20, 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 Townsend
Councilman Hudgens
Councilman Degges
Councilman Stoll
Councilman Klein Quinn

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
Marketing Director – Mike Baxter
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
Building Official – Ken Cole
Community Events Coordinator – Denise Fiore
Community Center Director – Rosalie Dillon

2.0 The invocation was led by Pastor James Clark, First Baptist Church.

3.0 The pledges to U. S. and Texas Flags were led by Robert Hauck.

4.0 No public comments were received.

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 Memorial Day and 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.
- **June 15 through July 30** – Meetings of the *City Council, Planning and Zoning Commission, Board of Adjustments, Tourism Advisory Committee, and Tomball Municipal Court Sessions* will be held at the **Public Works Building, 501 James Street**, due to renovations at City Hall.
- August 3, 2015 – Public Hearing regarding the 2015-2016 Fiscal Year Budget – 6:00 p.m.
- 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.
- **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 Denise Fiore reported on the success of the 2015 **TOMBALL KIDS' CLUB** and presentation of Certificates of Appreciation to Sponsors and Volunteers:
 - Locatelli's
 - Papa Johns
 - Wing Stop
 - Texas Roadhouse
 - Buffalo Wild Wings
 - H-E-B
 - Pilgrim Law Office
 - Susan Donaldson
 - Lyndsey Wesneski
 - Warren Diagger
 - Hannah Le
 - Real Church
 - State Farm
 - Tomball Smiles Dentistry
 - WCA Waste Management
 - Tomball Police Department
 - NWEMS
 - The Woodlands Church-Tomball Campus
 - Tomball Fire Department.

- o Mike Baxter reported on the success of **2nd Saturday at the Depot – “Christmas in July”**.
- o David Esquivel and Brian Vestal, TCATS, reported on the success of the **2015 TCATS Season** at Jerry Matheson Pool.
- o Randy Parr presented a proposed letter to solicit input from Old Town Tomball residents regarding restricted parking during festivals/events. Council was previously made aware of a public safety concern due to parking on both sides of the area's very narrow streets. Prior to making a recommendation, we are requesting input from the area's residents regarding the possibility of restricting parking to one side of the street.

6.0 Motion was made by Councilman Degges, second by Councilman Stoll, to approve the Minutes of the July 6, 2015 Regular City Council Meeting.

Motion carried unanimously.

7.0 Old Business:

7.1 Motion was made by Councilman Hudgens, second by Councilman Townsend, to read Ordinance No. 2015-13 by caption only on first reading.

Motion carried unanimously.

Motion was made by Councilman Hudgens, second by Councilman Stoll, to adopt, on First 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, and Adding a New Section 32-11, Mobile Food Vendors; 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 6:29 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:30 p.m.

- 8.2 Motion was made by Councilman Klein Quinn, second by Councilman Stoll, to approve the request from Dana Kelly to Block off the Tomball Depot Area and Close Market Street for “The 2nd Annual Empty Glass Wine Festival”, to be held on Sunday, October 4, 2015, from 12:00 p.m. to 5:00 p.m. Vote was as follows:

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

Motion carried, 4 votes Aye, 1 vote Nay.

- 8.3 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve Proposed Amendments to Administrative Policy No. 15, Entitled “Tomball Community Center Policies and Operating Procedures”.

Motion to AMEND was made by Councilman Townsend, second by Councilman Klein Quinn, to approve Proposed Amendments to Administrative Policy No. 15, Entitled “Tomball Community Center Policies and Operating Procedures”, by striking “except in cases of emergency” from page 5 and striking “except in case of emergency” from 8 of the Administrative Policy.

Motion, as AMENDED, carried unanimously.

- 8.4 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve the **Replat of Lot 3 Chestnut Business Park**: A Subdivision of a 1.7096 Acre Tract, Being a Replat of Lot 3, Block 1 of Chestnut Business Park F.C. #628085 H.C.M.R. and the Remainder of a Called 7.5 Acre Tract to Albers Properties, LP H.C.C.F # 20070501339 & 20110213233.

Motion carried unanimously.

- 8.5 Presentation was made by Billy Tidwell regarding Red Light Enforcement Cameras, Class C Misdemeanors, Collections vs. Outstanding Balances, and Possible Collection Program.

No action was taken.

- 8.6 Council recessed at 6:41 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. 551.071 – Private Consultation with Attorney in Closed Meeting regarding a Matter that the Duty of the Attorney Requires be Held in Closed Session

Upon reconvening in regular session at 7:44 p.m., no action was taken.

- 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 3rd day of August 2015.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor