

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



MONDAY, JANUARY 19, 2015

6:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, January 19, 2015 at 6:00 p.m., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

2.0 Invocation

- Led by Pastor John Holiday, Powerhouse Church of God in Christ

3.0 Pledges to U. S. and Texas Flags

4.0 Public Comments and Receipt of Petitions: *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]*

5.0 Reports and Announcements:

- February 24, 2015 – **Trailride Reception** – 12 Noon at the Depot
- March 14, 2015 – **2nd Saturday at the Depot**
- March 21, 2015 – **Tomball Honky Tonk Music Festival**
- April 7 and 8, 2015 – **Shattered Lives Event** – Concordia Lutheran High School
- April 11, 2015 – **6th Annual 5K Bunny Run and 1 Mile Kids Walk**
- April 11, 2015 – **2nd Saturday at the Depot**
- April 19, 2015 – **“2015 Ride 2 Recovery Texas Challenge” Welcome and Reception** – 9:30 a.m.-11:00 a.m.
- **Walk Tomball!** – Every Saturday at **9:00 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

6.0 Approve the Minutes of the January 5, 2015 Regular City Council Meeting

7.0 Old Business:

- 7.1 Adopt, on Second Reading, Ordinance No. 2015-01, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas by Amending Section 34-1, Definitions, of Article I, in General, of Chapter 34, Signs, to Add a Definition of Obsolete Sign; by Amending Section 34-6, Sign Maintenance and Removal, of Article I, in General, of Chapter 34, Signs, to Add a New Subsection (c) Requiring Signs with No Sign Face or Message for a Period of 120 Days to be Removed; Amending Section 34-7 (a), Miscellaneous Sign Provisions, of Article I, in General, of Chapter 34, Signs, to Restrict the Size of Banner Signs to 32 Square Feet; Amending Section 34-9, Off-premises Sign Provisions, of Article I, in General, of Chapter 34, Signs, to Add a New Sentence to Subsection (c) to Require Removal of Any Off-premises Sign for a Business or Entity Which No Longer Exists for more than 120 Consecutive Days; by Amending Section 34-11, Changeable Electronic Variable Message Signs, of Article I, in General, of Chapter 34, Signs to Exclude Changeable Electronic Variable Message Signs from the Old Town Area; by Amending Section 34-14, Prohibited Signage, of Article I, in General, of Chapter 34, Signs, to Prohibit Obsolete Signs; by Amending Section 34-45, Size Limitation, of Article II, Design and Structural Requirements, of Chapter 34, Signs to Limit On-premises Signs Other than Integrated Business Development Signs as Defined in Subsection 34-8(c)(3); Repealing all Ordinances or Parts of Ordinances in Conflict Herewith; 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

8.0 New Business

- 8.1 Accept Resignation of Associate Municipal Court Judge, Laryssa Korduba-Hrncir and Approve the Appointment of and Contract with Cindy Bennett Smith and Michael R. Tiffin as Associate Municipal Court Judges, with terms expiring August 31, 2016, as required by Government Code, Section 29.005, and City Code of Ordinances, Section 28-3.
- 8.2 Consideration to approve ZONING CASE P14-255: Request by the City of Tomball to amend Section 50-69(d) (Single-Family Estate Residential District – Area Regulations) of the Tomball Code of Ordinances with regards to minimum building setbacks, and Section 50-76(c) (General Retail District – Height Regulations) of the Tomball Code of Ordinances with regards to maximum building height
- Conduct Public Hearing on **ZONING CASE P14-255**
 - Adopt, on First Reading Ordinance No. 2015-02, An Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Amending Sections 50-69 (“Single-Family Estate Residential District”) and 50-76 (“General Retail District”); 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.

- 8.3 Review and Approve the 2015 Compensation Amendment to the ESD 15 Fire Protection Interlocal Agreement for Fire Protection, Fire Suppression, and Rescue Services
- 8.4 Approve the Following Plats as Recommended by the Planning and Zoning Commission:
- **R & R ESTATE**: Being a subdivision of 1.394 acre, located in the Joseph House Survey, A-34, Harris County, Texas and being that same tract as described under H.C.C.F No. F401537.
 - **REPLAT TENNIS VENTURE TRACT**: A replat of that certain 4.017 acre tract of land in the Ralph Hubbard Survey, Abstract No. 383, in Harris County, Texas, out of and a part of Lot 64 of FIVE ACRE TRACTS~TOMBALL TOWNSITE, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 2, Page 65, of the Map Records of Harris County, Texas.
- 8.5 Executive Session: The City Council will 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 City Attorney in closed meeting regarding Cause No. 1028316; *City of Tomball, Texas v. Edgar C. Ray*, in the County Court at Law No. 3 of Harris County, Texas.
- 8.6 Consideration and possible action regarding settlement of Cause No. 1028316; *City of Tomball, Texas v. Edgar C. Ray*, in the County Court at Law No. 3 of Harris County, Texas
- 9.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 15th day of January 2015 by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer
Doris Speer
City Secretary, TRMC, CMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY BE VIEWED ONLINE AT www.ci.tomball.tx.us.