

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



MONDAY, NOVEMBER 17, 2014

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 Degges
Councilman Stoll
Councilman Townsend
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
Community Development Director – Craig Meyers
City Engineer – Lori Lakatos
City Planner - Harold Ellis
Community Center Manager – Rosalie Dillon
Community Development Coordinator – Amelia Vasquez
Fire Marshal – Doug Sanguedolce
Community Events Coordinator – Denise Neef-Fiore

2.0 The invocation was led by Commander Larry Fielder, American Legion

3.0 The pledges to U. S. and Texas Flags were led by Alan Paul and Gabe Gach, members of the Tomball High School Student Council.

4.0 No comments were received.

5.0 Reports and Announcements:

- November 22, 2014 – **49th Annual Tomball Holiday Parade** –10:00 a.m.
- November 27-28, 2014 – Thanksgiving Holiday – City Offices Closed
- December 12-14, 2014 – **2014 Tomball German Christmas Market** – 10:00 a.m.-8:00 p.m.
- December 13, 2014 – **“Christmas on Commerce”** from 10:00 a.m.-5:00 p.m., and **2nd Saturday at the Depot** – 5:00 p.m.
- December 24-25, 2014 – Christmas Holiday – City Offices Closed; open Friday, December 26, 2014
- January 1, 2015 – New Year’s Day Holiday – City Offices Closed; open Friday, January 2, 2015
- **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:
 - Glenn Windsor presented the Quarterly Investment Report for the Quarter ending September 30, 2014. 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 September 30, 2014, the City had total cash equivalents and investments totaling \$54,836,138. A copy of the report is attached for review.

6.0 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to approve the Minutes of the November 3, 2014 Regular City Council Meeting and the November 10, 2014 Special City Council Meeting.

Motion carried unanimously.

7.0 New Business:

7.1 Motion was made by Councilman Townsend, second by Councilman Hudgens, to appoint Grant Stevens as Chief Prosecutor for the Tomball Municipal Court, with Term Beginning November 18, 2014 and Expiring December 31, 2016.

Motion carried unanimously.

7.2 Motion was made by Councilman Townsend, second by Councilman Hudgens, to re-appoint Matthew Goehring as Associate Municipal Court Prosecutor for the Tomball Municipal Court, with Term Beginning November 18, 2014 and Expiring December 31, 2016.

Motion carried unanimously.

- 7.3 Consideration to approve **ZONING CASE P14-187**: Request by Mark Kirkland, on behalf of Maple Group, Ltd. and Kenneth Lee, to amend the City's Zoning Ordinance by rezoning approximately 27.16 acres of land, legally described as Tracts 2M & 4N, Abstract 632, C.V. Pillot and Reserve A, Block 1, Kenneth Lee; within the City of Tomball, Harris County, Texas; generally located north of Holderrieth Road, east of State Highway 249 Business; from the Commercial District to the Planned Development - 8 District to facilitate the construction of a multi-family and non-residential development.

- Mayor Fagan opened the Public Hearing on **ZONING CASE P14-187** at 6:21 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:21 p.m.

- Motion was made by Councilman Stoll, second by Councilman Degges, to read Ordinance No. 2014-39 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. 2014-39, an Ordinance of The City of Tomball, Texas, Amending Its Zoning Ordinance, by Approving a Planned Development District of Approximately 27.16 Acres of Land, Legally Described as Tracts 2m & 4n, Abstract 632, C.V. Pillot and Reserve A, Block 1, Kenneth Lee; Within the City of Tomball, Harris County, Texas; Amending the Official Zoning Map of The City to Reflect The Planned Development District to be Known as Planned Development – 8 (Pd-8) District; Adopting a Concept Plan and Regulations Applicable to Pd-8 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. 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.

- 7.4 Consideration to approve **ZONING CASE P14-217**: Request by Russell Brown, on behalf of Joseph Family Limited Partnership, LTD, to amend the City's Zoning Ordinance by rezoning approximately 2 acres of land, legally described as Reserve A,

Block 1, Pine Country of Tomball Section 2 Replat, within the City of Tomball, Harris County, Texas, generally located north of F.M. 2920, west of Tomball Cemetery Road, from the Agricultural District to the Single-Family Residential-9 District.

- Mayor Fagan opened the Public Hearing on **ZONING CASE P14-217** at 6:40 p.m.:

Luke Smoguls	-	Expressed his desire to include this property
30 East Rivercrest Drive		in a Master Planned Development and
Houston, TX		add acreage from the north and east.

Receiving no further public comments, Mayor Fagan closed the Public Hearing at 6:43 p.m.

- Motion was made by Councilman Stoll, second by Councilman Townsend, to read Ordinance No. 2014-40 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. 2014-40, an Ordinance of The City of Tomball, Texas, Amending Its Zoning Ordinance by Changing the Zoning District Classification of Approximately 2 Acres of Land, Legally Described as Reserve A, Block 1, Pine Country of Tomball Section 2 Replat, Within the City Of Tomball, Harris County, Texas, From the Agricultural District to the Single-Family Residential-9 District; Said Property Being Generally Located North of F.M. 2920, West of Tomball Cemetery Road; Providing for the Amendment of the Official Zoning Map of The City; 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 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.

- 7.5 Consideration to approve **ZONING CASE P14-218**: Request by the City of Tomball to amend the City's Zoning Ordinance by rezoning approximately 1.04 acres of land, legally described as Lot 9, Block 1, Liberty Springs, within the City of Tomball, Harris County, Texas, generally located south of Brown-Hufsmith Road, east of Liberty Lane, from the Planned Development-1 District to the Single-Family Estate Residential-20 District.

- Mayor Fagan opened the Public Hearing on **ZONING CASE P14-218** at 6:47 p.m.
Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:47 p.m.
- Motion was made by Councilman Townsend, second by Councilman Hudgens, to read Ordinance No. 2014-41 by caption only on first reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to adopt, on First Reading, Ordinance No. 2014-41, an Ordinance of The City of Tomball, Texas, Amending Its Zoning Ordinance By Changing the Zoning District Classification of Approximately 1.04 Acres of Land, Legally Described as Lot 9, Block 1, Liberty Springs, Within the City of Tomball, Harris County, Texas, from the Planned Development-1 District to the Single-Family Estate Residential-20 District; Said Property Being Generally Located South of Brown-Hufsmith Road, East of Liberty Lane; Providing for the Amendment of the Official Zoning Map of The City; 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 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.

- 7.6 Motion was made by Councilman Townsend, second by Councilman Degges, to approve and authorize City Manager to Execute Pipeline Relocation/Reimbursement Agreement with Tortuga Operating Company ("Tortuga"), in the Amount of \$85,199.00.

Motion carried unanimously.

- 7.7 Motion was made by Councilman Townsend, second by Councilman Hudgens, to approve **HAUSMAN REPLAT**; A Subdivision of a 16.1043 Acre Tract, being a Replat of Lots 182, 186, 190 and 194 of Tomball Outlots Vol. 2, PG. 65 H.C.M.R.

Motion carried unanimously.

7.8 Council Recessed at 6:52 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. 551.072 - Deliberations Regarding Real Property

Upon reconvening in regular session at 7:03 p.m., no action was taken.

8.0 Motion was made by Councilman Townsend, second by Councilman Hudgens, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 1st day of December 2014.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor