

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, MAY 5, 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 were:

Councilman Hudgens
Councilman Stoll
Councilman Degges
Councilman Townsend
Councilman Dodson

Others present:

City Manager – George Shackelford
Assistant City Manager/Police Chief – Robert Hauck
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Fire Chief – Randy Parr
Director of Public Works – David Kauffman
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Community Development Director – Craig Meyers
City Engineer – Lori Lakatos
City Planner – Rebeca Guerra
Community Events Coordinator – Rosalie Dillon
Fire Marshall – Doug Sanguedolce
NWEMS Director – Brian Bayani

- 2.0 The invocation was led by Ted Ritz, Past Commander and Current Adjutant, American Legion Past 127.
- 3.0 The pledges to the U. S. and Texas Flags were led by Members of the Tomball High School Student Council. The National Anthem was performed by the Concordia Lutheran High School Choir.

4.0 Under public comments, a presentation was made by Luther Hill, 24805 Elmira, Tomball, Texas, who presented a handcrafted walking stick to Mayor Gretchen Fagan.

5.0 Presentations:

- Proclamation – May 5, 2014 is ***“Concordia Lutheran High School Choir 2014 TAPPS 5A Champions Day”***
- Proclamation – May 24, 2014 is ***“Class of ’64 – 50th Class Reunion Day”***
- Proclamation - May 3-11, 2014 is ***“Texas Travel and Tourism Week - Tomball, Texas”***
- Proclamation - May 18-24, 2014 is ***“National Emergency Medical Services Week; EMS: Dedicated. For Life.”***

6.0 Reports and Announcements:

- April 28-May 6, 2014 – Early Voting for the **May 10, 2014 Charter Amendment Election**
- May 6, 2014 (Tuesday) – **Tomball Business and Technology Groundbreaking Ceremony**, 2:30 p.m. at 11526 Holderrieth Road
- May 10, 2014 – **Charter Amendment Election** – City Hall, 7:00 a.m.-7:00 p.m.
- May 10, 2014 – **2nd Saturday at the Depot** – 6:00 p.m. – **Disney’s “Enchanted”**
- May 24, 2014 – **3rd Annual Memorial Day Weekend Chili Challenge** - 12:00 Noon-5:00 p.m.
- June 26, 2014 – **20th Anniversary TEDC Luncheon at Lone Star College-Tomball** – 11:30 a.m.
- July 4, 2014 – **July 4th Celebration and Street Party**
- September 27, 2014 – **4th Annual Bugs, Brew & Barbeque Festival**
- October 25, 2014 – **3rd Annual Tomball Bluegrass Festival**
- **Walk Tomball!** – Every Saturday at 8:00 a.m. at the Depot (**NOTE: New Time**)
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - David Kaufman presented a report regarding the success of the ***Annual Spring Clean-Up and Chipping Week*** and ***Tomball Consolidated Recycling Day at LoneStar College-Tomball***
 - Mike Baxter presented a report regarding the success of the **3rd Annual Rails & Tails Mudbug Festival**
 - Brian Bayani presented information regarding the May 10, 2014 ESD #8 Election

6.0 Motion was made by Councilman Dodson, second by Councilman Stoll, to approve the Minutes of the April 21, 2014 Regular City Council Meeting.

Motion carried unanimously.

8.0 Old Business:

- 8.1 Motion was made by Councilman Dodson, second by Councilman Townsend, to adopt on Second Reading, Ordinance No. 2014-08, an Ordinance of the City of Tomball, Texas, amending its Comprehensive Zoning Ordinance by granting a Conditional Use Permit to Ronald and Amy Haffner to operate an accountant's office with one residential sleeping quarter; said property being approximately 0.68 acres, and being legally described as Lot 2, Block 2, Brown-Hufsmith Commercial, generally located south of Brown Road between State Highway 249 and Quinn Road; providing requirements and conditions for this Conditional Use Permit; containing findings and other provisions relating to the subject; providing a penalty in an amount not to exceed two thousand dollars for violations hereof; and providing for severability. 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 Dodson	<u>Aye</u>

Motion carried unanimously.

Councilman Hudgens requested that City staff provide information regarding reviving the Parks Committee and a master plan for parks.

- 8.2 Motion was made by Councilman Dodson, second by Councilman Stoll, to adopt on Second Reading, Ordinance No. 2014-09, An Ordinance of the City of Tomball, Texas, amending its Zoning Ordinance, by approving a Planned Development District ("PDD") being approximately 34.86 acres of land, legally described as Tracts 11M-4 and 12, Joseph Pruitt Survey; Lots 296 and 297, Tomball Outlots; and Tracts 298A, 298B-1, 298C-1, 302A, 302B, 302E, 303A-1, 303C-1, 303D, 306B, & 311A, Tomball Outlots; within the City of Tomball, Harris County, Texas; amending the official Zoning Map of the City to reflect the PDD to be known as Planned Development District #6 (PDD-6); adopting a Concept Plan and regulations applicable to PDD-6; 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 Dodson	<u>Aye</u>

Motion carried unanimously.

Consensus of Council was to request that the developers of PDD-6 consider and re-evaluate the possibility of patio homes in the development.

- 8.3 Motion was made by Councilman Hudgens, second by Councilman Stoll, to adopt on Second Reading, Ordinance No. 2014-10, an Ordinance Amending Chapter 14, Buildings and Building Regulations, of the Code of Ordinances of the City of Tomball, Texas, by Deleting Sections 14-35, International Building Code Adopted, and 14-36, Amendments to the International Building Code, of Article II, Building Code, and Adopting New Sections 14-35 and 14-36 Adopting the International Building Code, 2012 Edition, and Making Amendments Thereto; by Deleting Sections 14-65, International Mechanical Code Adopted, and 14-66, Amendments to the International Mechanical Code, of Article III, Air Conditioning and Mechanical Work, and Adopting New Sections 14-65 and 14-66 Adopting the International Mechanical Code, 2012 Edition, and Making Amendments Thereto; by Deleting Section 14-147, Supervision of Work, of Subdivision I, Generally, of Division 3, Electricians, of Article IV, Electricity, and Adopting a New Section 14-147; by Deleting Sections 14-185, License Required, of Subdivision III, Master Electrician, of Division 3, Electricians, of Article IV, Electricity, and Adopting New Section 14-185, License Required and 14-193, Insurance; by Deleting Section 14-210, License Required, of Subdivision IV, Journeyman Electrician, of Division 3, Electricians, of Article IV, Electricity, and Adopting a New Section 14-210, License Required; by Deleting Section 14-230, License Required, of Subdivision V, Apprentice Electrician Registration, of Subdivision 3, Electricians, of Article IV, Electricity, and Adopting a New Section 14-210, License Required; by Deleting Sections 14-272, Death of Master Electrician, and 14-284, Adoption, of Division 4, Permits and Inspections, of Article IV, Electricity, and Adopting New Sections 14-272, Death of Master Electrician, and 14-284, Adoption, Providing for the Adoption of the 2011 Edition of the National Electrical Code, NFPA 70; by Deleting Sections 14-325, International Residential Code Adopted, and 14-328, Amendments to the International Residential Code, of Division 2, Housing Code, of Article V, Housing, and Adopting New Sections 14-325 and 14-328 Adopting the International Residential Code, 2012 Edition, and Making Amendments Thereto; by Deleting Section 14-391, Bond, of Division 1, Generally, of Article VI, Plumbing and Gas; by Deleting Sections 14-405, International Plumbing Code Adopted, and 14-406, Amendments to the International Plumbing Code, of Division 2, Codes, of Article VI, Plumbing and Gas, and Adopting New Sections 14-405 and 14-406 Adopting the International Plumbing Code, 2012 Edition, and Making Amendments Thereto; Providing a Penalty in an Amount Not to Exceed \$2000 for Each Day of Violation Hereof; and Providing for Severability. Vote was as follows:

Councilman Hudgens

Aye

Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Dodson	<u>Aye</u>

Motion carried unanimously.

- 8.4 Motion was made by Councilman Townsend, second by Councilman Hudgens, to adopt, on Second Reading, Ordinance No. 2014-11, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas by Deleting All of Article III, Fire Prevention Code, of Chapter 34, Fire Prevention and Protection, and Adopting a New Article III, Fire Prevention Code, Adopting the 2012 Edition of the International Fire Code as Published by the International Code Council and the 2012 Edition of the NFPA 101 as Published by the National Fire Protection Association, and Making Local Amendments Thereto; by Deleting All of Article IV, Standards for the Installation of Fire Sprinkler Systems, of Chapter 34, Fire Prevention and Protection, and Adopting a New Article IV Adopting NFPA 13, NFPA 13D, and NFPA 13R Standards, and Making Local Amendments Thereto; Providing a Penalty in an Amount not to Exceed \$2,000 for Each Day of Violation Hereof; and Providing for Severability. 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 Dodson	<u>Aye</u>

Motion carried unanimously.

9.0 New Business:

- 9.1 Motion was made by Councilman Dodson, second by Councilman Stoll, to appoint Jo Ann Linzer as Chief Prosecutor for the Tomball Municipal Court, with Term beginning June 1, 2014 and expiring August 15, 2016.

Motion carried unanimously.

- 9.2 Motion was made by Councilman Stoll, second by Councilman Dodson, to approve the following plats as recommended by the Planning and Zoning Commission:

- **BRANIFF PLACE REPLAT**; Being a Replat of Lots 32 and 33 of Revised Map of Tomball, City of Tomball, Recorded Under Vol. 4, Pg. 25 of the Map Records of Harris County, Texas, located in the William Hurd Survey, Abstract No. 371, Harris County, Texas.

- **RESERVE AT TOMBALL PARTIAL REPLAT NO. 1**; A 47.260 Acre Tract of Land; Being a Partial Replat of Reserve at Tomball as Recorded Under Film Code No. 640133; H.C.M.R.; Being out of a Called 55.6484 Acre Tract Recorded Under Harris County Clerk's File No. 20100211861, and a Called 4 Acre Tract Recorded Under H.C.C.F. No. Z177722 in the Jesse Pruitt Survey, Abstract No. 629, City of Tomball, Harris County, Texas.

Motion carried unanimously.

- 9.3 Consideration of Amendments to Administrative Policy No. 32, entitled "*Pay and Training Policy for Volunteer Fire Fighters*", Revising the Pay and Training Policy for Tomball Volunteer Firefighters, was moved to the May 19, 2014 agenda, upon request of City staff.

No action taken.

Councilman Townsend requested an update on May 19, 2014 regarding enforcement of the donation box ordinance and the sign ordinance, Chapters 42 and 60.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 19th day of May 2014.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor