

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, APRIL 21, 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 (6:20 p.m. arrival)
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
Community Development Director – Craig Meyers
City Engineer – Lori Lakatos
City Planner – Rebeca Guerra
Community Events Coordinator – Rosalie Dillon
Building Official – David Allen
Fire Marshall – Doug Sanguedolce
Executive Director-TEDC – Kelly Violette

2.0 The invocation was led by Christian Collins, Young Adult Leader, Grace Church-Tomball.

3.0 The pledges to the U. S. and Texas Flags were led by Fire Chief, Randy Parr.

4.0 No public comments were received.

5.0 Reports and Announcements:

- April 21-25, 2014 – **Annual Spring Clean-Up and Chipping Week**
- April 26, 2014 – **Tomball Consolidated Recycling Day at LoneStar College-Tomball** - 10:00 a.m.-2:00 p.m.
- April 28-May 6, 2014 – Early Voting for the **May 10, 2014 Charter Amendment Election**
- May 3-4, 2014 – **3rd Annual Rails & Tails Mudbug Festival** - 11:00 a.m.-6:00 p.m.
- May 10, 2014 – **Charter Amendment Election** – City Hall, 7:00 a.m.-7:00 p.m.
- May 24, 2014 – **3rd Annual Memorial Day Weekend Chili Challenge** - 12:00 Noon-5:00 p.m.
- **Walk Tomball!** – Every Saturday at 8:00 a.m. at the Depot, beginning May 3, 2014
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Rosalie Dillon - **6th Annual 5K Bunny Run and 1 Mile Kids Walk**

Mayor Fagan presented a Certificate of Appreciation to the members of the **Southeast Texas Patriot Guard** on behalf of the Ride2Recovery organization for the Southeast Texas Patriot Guard's participation and assistance in the Ride2Recovery event, held at the Tomball Depot on Sunday, March 23, 2014. Assistant City Manager/Police Chief Rob Hauck presented Challenge Coins to the members of the Southeast Texas Patriot Guard.

Mayor Fagan reminded those in attendance of the passing of Elmer Beckendorf and Marietta Walicki, members of the Tomball community.

6.0 Motion was made by Councilman Dodson, second by Councilman Townsend, to approve the Minutes of the April 7, 2014 Regular City Council Meeting.

Motion carried unanimously.

7.0 New Business:

7.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve a Professional Services Agreement with Marsh Darcy Partners, Inc., in the Amount of \$30,900.00 to Prepare a Management and Improvement Plan for the Development Review Process of the Community Development Department and Fire Marshal's Office. Motion to Amend was made by Councilman Townsend, second by Councilman Stoll, to approve the Professional Services Agreement with Marsh Darcy Partners, Inc., by amending the agreement to include a maximum of forty (40) interview, for an additional \$1,500.00,

amending the Total Amount of the contract to \$32,400.00 to Prepare a Management and Improvement Plan for the Development Review Process of the Community Development Department and Fire Marshal's Office.

Motion, as Amended, carried unanimously.

Councilman Hudgens arrived at 6:20 p.m., joining the Council meeting in progress.

- 7.2 Motion was made by Councilman Dodson, second by Councilman Stoll, to approve the Proposed Specifications for the Request for Proposals for Sanitation Collection and Disposal Services for the City of Tomball.

Motion carried unanimously.

- 7.3 Motion was made by Councilman Dodson, second by Councilman Stoll, to approve Resolution No. 2014-09, a Resolution of the City Council of the City of Tomball, Texas Sponsoring the July 4th Celebration, to be Held in Tomball on Friday, July 4th, 2014, Closing State Highway Business 249 from Hicks Street to the North Entrance to the Kroger Parking Lot from 3:00 p.m. until 11:00 p.m., and Authorizing the City Manager to Issue a Letter to TxDOT requesting the Closure of the Designated Portion of State Highway Business 249.

Motion carried unanimously.

- 7.4 Mayor Fagan opened the Public Hearing at 6:34 p.m. to consider approval of **ZONING CASE P14-028**: Request by Stutts Cox Builders, Inc., on behalf of Ronald and Amy Haffner, for a Conditional Use Permit to operate an accountant's office with one residential sleeping quarter. The property is approximately 0.68 acres, is legally described as Lot 2, Block 2, Brown-Hufsmith Commercial, is generally located south of Brown-Hufsmith Road between State Highway 249 and Quinn Road, and is located in the Office District.

Receiving no public comments, Mayor Fagan closed the public hearing at 6:34 p.m.

Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2014-08 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Dodson, second by Councilman Townsend, to adopt on First 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

Receiving no additional public comments, Mayor Fagan closed the public hearing at 7:59 p.m.

Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2014-09 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. 2014-09, 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.

- 7.6 Motion was made by Councilman Stoll, second by Councilman Dodson, to read Ordinance No. 2014-10 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Dodson, second by Councilman Stoll, to adopt on First 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	<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.

- 7.7 Motion was made by Councilman Stoll, second by Councilman Townsend, to read Ordinance No. 2014-11 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Stoll, second by Councilman Townsend, to adopt, on First 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.

- 7.8 The City Council recessed at 7:54 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:

- Sec. 551.072 – Deliberations Regarding Real Property

Upon reconvening into Regular Session at 9:04 p.m., no action was taken.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 5th day of May 2014.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor