

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, OCTOBER 21, 2013
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 Brown
Councilman Townsend
Councilman Dodson

Others present:

City Manager – George Shackelford
City Secretary – Doris Speer
City Attorney – Loren Smith
Police Chief – Robert Hauck
Fire Chief – Randy Parr
Community Development Director – Craig Meyers
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
HR Director – Lisa Coe
Assistant City Engineer – Lori Lakatos
City Planner – Rebeca Guerra
Asst. Fire Chief – Jonathan Fontenot
Chief-NWEMS – Raul Reyes

2.0 The invocation was led by Pastor Richard Jennings, River of Praise Church

3.0 The pledges to the U. S. and Texas Flags were led by Gabriel Gach and Alan Hernandez, Members of the Tomball High School Student Council

4.0 The following Public Comment was received:

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| Alan Hernandez and
Gabriel Gach | - Expressed the Tomball High School Student Council's appreciation of the City's support for the successful Tomball High School Homecoming Pep Rally, held on October 16, 2013. |
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5.0 Presentations:

- Fire Department Presentations:

Lieutenant Brian Holasek
Driver/Operator Chris Caron
Driver/Operator David Hill
Driver/Operator Scott Simpson
Driver/Operator Ethan Grossman
Driver/Operator Steven McHenry
Driver/Operator Josh Brookshire
Firefighter William McDugle.

6.0 Reports and Announcements:

- October 22, 2013 – **“Zomball in Tomball Do-Over” at the Depot** – 6:00 p.m.-7:30 p.m.
- October 26, 2013 – ***Tomball Bluegrass Festival*** – 11:30 a.m.-6:00 p.m.
- November 4, 2013 – Appointments to Tourism Advisory Committee for terms expiring December 5, 2013
- November 5, 2013 – **Mayor's Coffee** – 5:00 p.m.-7:00 p.m. – 207 Commerce (Sol de Luna)
- November 9, 2013 – ***Woodforest Run at the Depot*** – 8:00 a.m.
- November 9, 2013 – **2nd Saturday at the Depot** – 5:00 p.m.
- November 19, 2013 – **25th Anniversary of Lone Star College-Tomball**
- November 23, 2013 – **48th Annual Tomball Holiday Parade** – 10:00 a.m.
- December 6-7, 2013 – **2013 Tomball German Christmas Market** – 10:00 a.m.-8:00 p.m.
- December 7, 2013 – **“Christmas on Commerce” – a 2nd Saturday at the Depot Event**, from 10:00 a.m.-8:00 p.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:
 - Craig Meyers - ROW update on Medical Complex and M121
 - Lisa Coe/Mike Baxter – Success of ***Sherine's Stride 5K and 1 Mile Walk/Run***

7.0 Motion was made by Councilman Dodson, second by Councilman Stoll, to approve the Minutes of the following meetings:

- October 7, 2013 Regular City Council Meeting
- October 14, 2013 Special City Council Meeting.

Motion carried unanimously.

8.0 New Business:

8.1 Consideration to approve **ZONING CASE P13-143**: Request by the City of Tomball to amend Section 38.2 ("Use Charts") of the City's Zoning Ordinance (Ordinance No. 2008-01) by creating a new land use called "Fortune Telling and Similar Activities," permitting it only with a Conditional Use Permit in the Light Industrial District, and assigning it a parking requirement of one parking space per three hundred (300) square feet of building area; and amending Section 45.2 ("Definitions") by creating a definition for "Fortune Telling and Similar Activities."

- Mayor Fagan opened the public hearing Public Hearing on **ZONING CASE P13-143** at 6:20 p.m. The following public comment was received:

Nancy Cullen - Ms. Cullen expressed her support for the
403 Peach, 77375 proposed zoning designation and requirements.

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

- Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2013-19 by caption only on First Reading.

Motion carried unanimously.

- Motion was made by Councilman Townsend, second by Councilman Brown, to adopt, on First Reading, Ordinance 2013-19, an Ordinance of the City of Tomball, Texas, amending its Zoning Ordinance by amending Section 38.2 ("Use Charts") by creating a new land use called "Fortune Telling and Similar Activities," permitting it only with a Conditional Use Permit in the Light Industrial District, and assigning it a parking requirement of one parking space per three hundred (300) square feet of building area; and amending Section 45.2 ("Definitions") by creating a definition for "Fortune Telling and Similar Activities;" 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 Brown	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Dodson	<u>Aye</u>

Motion carried unanimously.

- 8.2 Mayor Fagan announced that the Public Hearing on Zoning Case P13-148 is postponed to the regularly scheduled City Council meeting of January 20, 2014, unless further tabled by the Planning and Zoning Commission.

No action required.

- 8.3 Motion was made by Councilman Townsend, second by Councilman Hudgens, to approve Resolution No. 2013-29, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 48th Annual Tomball Holiday Parade, "Cartoons on Parade", to be held in Tomball on Saturday, November 23, 2013 and to Approve Requested Street Closures and In-kind Services.

Motion carried unanimously.

- 8.4 Motion was made by Councilman Dodson, second by Councilman Stoll, to authorize the City Manager to Request that Harris County Commissioners Court Enter into an Interlocal Agreement with the City of Tomball for Harris County to Provide Contingency Debris Removal Services to the City of Tomball in the Event of a Disaster Incident.

Motion carried unanimously.

- 8.5 Motion was made by Councilman Townsend, second by Councilman Brown, to approve the Proposed Revisions to the City of Tomball Boards, Commissions, and Committees Handbook.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 4th day of November 2013.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor