

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, JULY 1, 2013
6:00 P.M.**

1.0 Call to Order

The Council meeting was called to order at 6:00 p.m. by Mayor Gretchen Fagan. Other members present were:

Councilman Townsend
Councilman Hudgens
Councilman Stoll
Councilman Brown
Councilman Dodson

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Weber
City Secretary – Doris Speer
City Attorney – Loren Smith
Finance Director – Glenn Windsor
HR Director – Lisa Coe
Police Chief – Robert Hauck
Director of Public Works – David Kauffman
Fire Chief – Randy Parr
Community Development Director – Craig Meyers
Marketing Director – Mike Baxter
City Planner – Rebeca Guerra
City Engineer – Lori Lakatos
IT Director – Doug Tippet
Fire Marshal – Doug Sanguedolce
Chief-NWEMS – Raul Reyes

2.0 Invocation

- Led by Rick Brown, Senior Pastor, ChristBridge Fellowship Church

3.0 Pledges to U. S. and Texas Flags

- Led by Randy Parr, Fire Chief

4.0 The following public comment was received:

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| Tina Roquemore
614 N. Hickory, 77375 | - Expressed her opposition to the proposed BMX facility in Tomball. |
| Pat Bailey
1319 Dove Trails, 77375 | - Expressed her opposition to the proposed BMX facility in Tomball. |

5.0 Reports and Announcements:

- **June 10 thru July 29, 2013 – Tomball Kids Club! Every Monday, Wednesday and Friday**, from 11:00 a.m. to 1:00 p.m. at **MLK Park**, 403 Chestnut Street – Sponsors: **H-E-B, Buffalo Wild Wings, Cisco's Salsa Company, Salem Lutheran Ministries and Tomball Bible Church**
- July 4, 2013 – **City of Tomball July 4th Celebration** – 3:00 p.m.-10:00 p.m.
- July 13, 2013 – **2nd Saturday at the Depot** – 6:30 p.m.
- July 15, 2013 – **Budget Workshop** on FY 2013-2014 Budget – **5:00 p.m.**
- July 19, 2013 – **Friday Night Creature Feature – Invasion of the Body Snatchers**
- August 5, 2013 – **Public Hearing** on FY 2013-2014 Budget – 6:00 p.m.
- August 16, 2013 – **Friday Night Creature Feature – THEM!**
- **Walk Tomball!** – Every Saturday at 8:00 a.m. at the Depot (**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 TxDOT's Engineering Assessment of Existing Traffic Signals on Main Street.
 - Mayor Fagan presented Glenn Windsor with the **Government Finance Officers Association Distinguished Budget Award** for the City's Budget Document, on behalf of the City of Tomball.

6.0 Motion was made by Councilman Stoll, second by Councilman Dodson, to approve the Minutes of the June 17, 2013 Regular City Council Meeting.

Motion carried unanimously.

7.0 New Business:

- 7.1 Presentation was made by Mike McIntyre and John Purse regarding the proposed BMX facility and request to enter into an agreement with City for use of City-owned property for the proposed facility.

No action taken.

- 7.2 Motion was made by Councilman Dodson, second by Councilman Townsend, to approve Resolution No. 2013-20, a Resolution of the City Council of the City of Tomball, Texas, Supporting the Annual "Dance at the Depot", to be held at the Tomball Depot, Sponsored by the Tomball High School Cheerleader Booster Club, on Saturday, October 5, 2013.

Motion carried unanimously.

- 7.3 Motion was made by Councilman Townsend, second by Councilman Dodson, to approve the Encroachment Agreement for Unimproved Alley Platted as Lot 1 of Northwest Houston Heart Center and Authorize Mayor to Execute Agreement

Motion carried unanimously.

- 7.4 Motion was made by Councilman Brown, second by Councilman Dodson, to approve the Resale Deed for Property acquired by Foreclosure Tax Sale in Cause No. 2001-40381, styled City of Tomball, et al vs. The Delinquent Taxes of Isebell Cranfill Campbell, said Property being described as: Lots 42 and 60, Block 46 in the Town of Tomball, in Harris County, Texas, and being more particularly described in map of said addition recorded in Volume 983, Page 182, of the Map of Records of Harris County, Texas (Account Nos. 035-267-046-0042 and 035-267-046-0060) and Authorize the Mayor to Execute the Resale Deed.

Motion carried unanimously.

- 7.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to award Contract Bid for Project No. 2013-02, the Construction of the Public Works Building Generator to C.F. McDonald Electric, in the amount of \$129,369.00.

Motion carried unanimously.

- 7.6 Motion was made by Councilman Dodson, second by Councilman Brown, to award Contract for Project No. 2013-05 (Annual Asphalt Improvements), in the amount of \$128,400.00, to Low Bidder, Forde Construction Company, Inc.

Motion carried unanimously.

- 7.7 Motion was made by Councilman Townsend, second by Councilman Stoll, to set August 5, 2013 at 6:00 p.m. as the Date for the Public Hearing on the FY 2013-2014 Budget, as presented to Council by the City Manager.

Motion carried unanimously.

- 7.8 Weingarten Realty presented Appeal to the City Council regarding the calculations and resulting first payment in connection with the 380 Agreement between the City of Tomball and Weingarten Realty.

No action taken.

- 7.9 Executive Session: The Tomball City Council recessed at 7:42 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. 551.071 - Private Consultation with Attorney in Closed Meeting Regarding a Matter that the Duty of the Attorney Requires be Held in Closed Session

Upon reconvening into Regular Session at 8:31 p.m., the following items were considered:

- 7.10 No action was taken by Council regarding Weingarten Realty's appeal to City Council regarding the calculations and resulting first payment in connection with the 380 Agreement between the City of Tomball and Weingarten Realty.
- 7.11 The Tomball City Council did not continue with the Workshop Session regarding the Fiscal Year 2013-2014 Budget.
- 8.0 Motion was made by Councilman Stoll, second by Councilman Townsend, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 15th day of July 2013.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor