

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, JUNE 4, 2012
7:00 P.M.**

1.0 Call to Order

The Council meeting was called to order at 7:08 p.m. by Mayor Gretchen Fagan. Other members present were:

Councilman Stoll
Councilman Brown
Councilman Townsend
Councilman Dodson
Councilman Hudgens

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Weber
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Police Chief – Rob Hauck
Marketing Director – Mike Baxter
Assistant City Engineer – Lori Lakatos
Assistant City Planner – Rodney Schmidt
Community Events Coordinator – Rosalie Dillon
Chief-NWEMS – Brian Petrilla
Executive Director-TEDC – Kelly Violette

2.0 Invocation

- Led by Chaplain Steve Allison, VFW Post #2427

3.0 Pledges to U. S. and Texas Flags

- Led by George Russell Lang, III, Eagle Scout

4.0 The following public comment was received:

Chad Degges - Expressed his wish to be appointed to the Tomball
29602 Imperial Creek Drive, 77377 Economic Development Corporation.

5.0 Presentations:

Mayor Fagan made the following presentations:

- A Proclamation declaring June 8-9, 2012 as ***“The Sons of the Republic of Texas” Days***
- A Proclamation declaring June 18, 2012 as the ***“200th Anniversary of the Beginning of the War of 1812”***
- A Certificate recognizing ***George Russell Lang, III, Eagle Scout***

6.0 Reports and Announcements:

- June 9, 2012 – **2nd Saturday at the Depot – 6:30 p.m.**
- July 4, 2012 – ***City of Tomball Fourth of July Celebration – 2:00 p.m. to 10:00 p.m.***
- ***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
 - Mike Baxter provided a report on *Memorial Day Weekend Chili Challenge at the Depot* and the Oilfield Helping Hands Motorcycle Show and Rally rain-day event.
 - Councilman Townsend requested consideration regarding:
 - a. the possibility of creating a four-way stop at the intersection of Quinn and Brown Road, due to people not stopping, and
 - b. the possibility of removing left turn options on Main Street.

7.0 Motion was made by Councilman Dodson, second by Councilman Brown, to approve the Minutes of the May 21, 2012 Regular City Council Meeting.

Motion carried unanimously.

8.0 Old Business:

- 8.1 Motion was made by Councilman Dodson, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2012-09, an Ordinance of the City of Tomball, Texas, Amending its Comprehensive Zoning Ordinance by changing the Zoning District Classification of approximately 1.36 acres of land, Legally described as Tract 10, Meadow Lark Hill (Unrecorded), Within the City of Tomball, Harris County, Texas, from the Duplex Residential District to the Commercial District; Said property being generally located easterly of Johnson Road, southerly of Michel 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 Townsend	<u>Nay</u>
Councilman Dodson	<u>Aye</u>
Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Brown	<u>Aye</u>

Motion carried, 4 votes Aye, 1 vote Nay.

- 8.2 Motion was made by Councilman Brown, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2012-10, an Ordinance of the City of Tomball, Texas, Amending its Comprehensive Zoning Ordinance by changing the Zoning District Classification of approximately 1.36 acres of land, Legally described as Tract 11, Meadow Lark Hill (Unrecorded), Within the City of Tomball, Harris County, Texas, from the Duplex Residential District to the Commercial District; Said property being generally located easterly of Johnson Road, southerly of Michel 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 Dodson	<u>Aye</u>
Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Brown	<u>Aye</u>
Councilman Townsend	<u>Nay</u>

Motion carried, 4 votes Aye, 1 vote Nay.

- 8.3 Motion was made by Councilman Dodson, second by Councilman Hudgens, to adopt, on Second Reading, Ordinance No. 2012-11, an Ordinance of the City of Tomball, Texas, Amending its Comprehensive Zoning Ordinance by changing the Zoning District Classification of approximately 1.36 acres of land, Legally described as Tract 7, Meadow Lark Hill (Unrecorded), Within the City of Tomball, Harris County, Texas, from the Duplex Residential District to the Commercial District; Said property being generally located easterly of Johnson Road, northerly of Theiss 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 Brown	<u>Aye</u>
Councilman Townsend	<u>Nay</u>
Councilman Dodson	<u>Aye</u>

Motion carried, 4 votes Aye, 1 vote Nay.

9.0 New Business:

- 9.1 Nomination was made by Councilman Townsend to appoint Christine Roquemore to the unexpired vacancy left by Brad Hallmark's resignation. Nominations ceased. Motion was made by Councilman Dodson, second by Councilman Stoll, to reappoint Vincent O'Donnell, William Sumner, Richard Bruce, and Lori Klein Quinn to their respective positions on the Tomball Economic Development Board, with terms expiring May 31, 2014 and to appoint Chad Degges to the vacant position, with term expiring May 31, 2013. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Brown	<u>Aye</u>
Councilman Townsend	<u>Nay</u>
Councilman Dodson	<u>Aye</u>

Motion carried, 4 votes Aye, 1 vote Nay.

- 9.2 Kelly Violette presented the Tomball Economic Development Corporation (TEDC) 2011-2012 Annual Report.

No action necessary.

- 9.3 Motion was made by Councilman Townsend, second by Councilman Brown, to approve the Tomball Economic Development Corporation (TEDC) 2012-2013 Strategic Work Plan.

Motion carried unanimously.

- 9.4 Motion was made by Councilman Dodson, second by Councilman Brown, to approve, on First Reading, Resolution No. 2012-17-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving a development and property exchange agreement between the Tomball Economic Development Corporation and 2978 Industrial Properties, LLC, (The "Company") related to the development of the Tomball Business and Technology Park Project; containing other provisions relating to the subject; and providing for severability, and to add language, requested by Councilman Dodson, to the development and property exchange agreement to contain an affirmative requirement "that the property exchange will be accomplished free and clear of all liens, claims, and encumbrances".

Motion carried unanimously.

- 9.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Resolution No. 2012-15, a Resolution of the City Council of the City of Tomball, Texas, Approving Request by Iglesia de Dios Taller del Alfarero (Church of God Potter's House) to Conduct the annual March/Walk on FM 2920/Main Street on Saturday, July 7, 2012.

Motion carried unanimously.

- 9.6 Motion was made by Councilman Brown, second by Councilman Dodson, to approve Resolution No. 2012-16, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 4th Annual **5K Tomball Dash**, a Certified Run, Hosted by Woodforest National Bank, to be held in Tomball on Saturday, November 10, 2012.

Motion carried unanimously.

- 9.7 Motion was made by Councilman Dodson, second by Councilman Brown, to approve **SHEPHERD CENTER FINAL PLAT**: Being a Subdivision of 0.2871 Acre, being comprised of a 0.166 Acre Tract and a 0.121 Acre Tract situated in the Joseph House Survey, Abstract 34, City of Tomball, Harris County, Texas.

Motion carried unanimously.

- 9.8 Motion was made by Councilman Townsend, second by Councilman Dodson, to read Ordinance No. 2012-13 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Hudgens, second by Councilman Brown, to adopt, on First Reading, Ordinance No. 2012-13, an Ordinance of the City Council of the City of Tomball, Texas, Amending Subsection (b)(1) of Section 30-159 of Article IV, Nuisances, of Chapter 30, Environment, of the City's Code of Ordinances relating to the Prohibition of Weeds; Providing a New Definition of "Weeds"; Providing a Penalty of up to \$2,000.00 for Violations with Each Day Constituting a Separate Violation; Providing for the Publication of This Ordinance; and Making Other Findings and Provisions Related Thereto. Vote was as follows:

Councilman Stoll	<u>Aye</u>
Councilman Brown	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Dodson	<u>Aye</u>
Councilman Hudgens	<u>Aye</u>

Motion carried unanimously.

- 9.9 Motion was made by Councilman Townsend, second by Councilman Dodson, to read Ordinance No. 2012-13 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Hudgens, to adopt, on First Reading, Ordinance No. 2012-14, an Ordinance of the City of Tomball, Texas, Providing that the Portion of That Road Currently Known as Brown-Hufsmith Road shall be Renamed to Brown Road; Providing for Notice to Utility Companies and the United States Postal Service of Such Name Change; Providing for Severability; and Repealing All Ordinances or Parts of Ordinances Inconsistent or in Conflict Herewith. Vote was as follows:

Councilman Brown	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Dodson	<u>Aye</u>
Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 4th day of June 2012.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor